

F I F T H
R E P O R T
FROM THE
SELECT COMMITTEE,
APPOINTED TO TAKE INTO CONSIDERATION
THE STATE OF THE ADMINISTRATION OF
JUSTICE IN THE PROVINCES OF
BENGAL, BAHAR, and ORISSA.

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THE OFFICE IN THE PROVINCE OF

NEW YORK

REPORT

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FROM THE

SELECT COMMITTEE, &c.

The Select Committee, appointed to take into Consideration the State of the Administration of Justice in the Provinces of Bengal, Bahar, and Orissa, and to report the same as it shall appear to them to the House, with their Observations thereupon; and who were instructed to consider how the British Possessions in the East Indies may be held and governed with the greatest Security and Advantage to this Country, and by what Means the Happiness of the Native Inhabitants may be best promoted;

HAVING observed in their former Report that Mr. Francis had, in a Letter to the Court of Directors, which they inserted in the Appendix to that Report, charged that Court, in distinct and unqualified Terms, with little less than an entire Neglect of their Duty in many of its most essential Parts, and in particular with the constant Support of certain of their Servants in an open Disobedience of their Orders, have thought proper to examine Mr. Francis on that Letter, who, attending according to Order, was asked,

Whether his Letter, dated the 12th October, 1780 (see First Report, Appendix, N^o 8.) was a Letter wrote in the Moment of Resentment, or whether it is a Letter the Result of Reflection, and if he is ready to prove the Charges contained therein? he said, It was written with Deliberation; he did expect that at some Period or other he should be called upon to make good the Contents of it; and that he had already informed the Committee, that he believed he should be able to do so.—The Witness being then desired to explain to the Committee wherein he thought the Court of Directors had suffered their fundamental Principles of Policy to be overset, and their Instructions and Orders to be disobeyed with Impunity? he said, The Principles of Policy which were stated to him at the Time of his Appointment as the fundamental Principles of the Company, and which he found prescribed and established by their General Instructions to the Governor General and Council, and by various other Letters from the Court of Directors to their Presidencies Abroad, all of which were of equal Authority to the Governor General and Council with their Instructions, appear to him to be the following:

The Court of Directors censured and condemned the whole Transaction of the Rohilla War in the strongest Terms; but they never to his Knowledge proceeded to any Punishment or Penalty against those Members of their Government whose Acts they had so condemned.

Nothing can be more particularly expressed than their Declarations and consequent Injunctions to their Servants, not to extend their Territorial Acquisitions, more especially on the Malabar Coast, where they

they say, "That it is their Resolution never to look beyond the Possession of Salfet and Bassien, "supposing that could be obtained by Treaty;" and he begs Leave to refer the Committee to the Letters of the Court of Directors to Bombay, of the 31st of March 1769, and the 12th of April 1775, on the Subject. (Vide Appendix, N° 1, and 2.)

The Committee will find, that the Engagement of the Presidency of Bombay with Ragobah are totally incompatible with these Principles; but that they have nevertheless received Encouragement from the Court of Directors.

The various Expeditions which have taken Place within these few Years, under Colonel Leslie, Colonel Goddard, Major Popham, and Major Carnac, from Bengal, and under Colonel Egerton on the Malabar Coast, appear to him incompatible with the Company's Orders "never to employ their "Troops in distant Expeditions, or otherwise than in the Defence of their Possessions, or those of "their Allies."

The Negotiation carried on, and Treaties made with the Rana of Gohude, with Moodajee Boosla, the Rajah of Berar, and with Ragobah, are not to be reconciled with the Company's Orders, which are, "To take Care that in all Treaties with the Country Powers, they be so framed as to be neither immediately nor eventually possible to engage the Company in any Disputes with those Powers."

Finally, The Company's declared Resolution "to adhere and keep inviolable the Faith of "Treaties," appears to the Witnesses to have been disregarded and violated by those Acts of the Government of Bengal, by which the Provinces of Korah and Allahabad were sold to the late Vizier Sujah Dowla, and the Tribute which the Company had agreed to pay to the King Shah Allum was stopped, because his Right, as well to the Provinces as to the Tribute, was formed on a specific Treaty; and also by those Acts of the Presidency of Bombay, which produced a Rupture between them and the Maratta Government at Poona, "First in December 1774, when they took Possession "of Salfet by Surprise, and again in November 1778, when they marched an Army towards "Poona, for the avowed Purpose of oversetting a Government from which they never pretended to "have received an Injury of any Kind."

With respect to the Company's Instructions and Orders being disobeyed with Impunity, Mr. Francis stated to the Committee, that Mr. Bristow was dismissed from his Office of Resident with the Nabob of Oude in December 1776 (Vide Appendix, N° 3 (E)); Mr. Francis Fowke was dismissed at the same Time from the Office of Resident at Benares (Vide Appendix, N° 4 (C)); and both of them without a Charge or Imputation of any Kind, contrary to the 20th Article of the Company's General Instructions to the Governor General and Council. (Vide Appendix, N° 5.)

Mahomed Reza Cawn was dismissed from his Office of Naib Subah in February 1778 (Vide Appendix, N° 6 (L, M, and N) in which he had been confirmed by the express and particular Orders of the Court of Directors (Vide Appendix, N° 6 (A.)) The Committee will find, that those several Acts have been strongly disapproved of and condemned by the Court of Directors; and that the Persons dismissed have been ordered to be re-instated (Vide Appendix, N° 3 (G), N° 4 (H), and N° 6 (Aa); but that those Orders have not been duly carried into Execution. In the extraordinary Case of Mr. Francis Fowke, the Committee will find that Motions in Council were repeatedly made for his Re-instatement, in Obedience to the Company's Orders, first on the 20th of July 1778, and again on the 1st and 5th of April 1779 (Vide Appendix, N° 4 (I, O, and P.)); and that on both those Occasions, Resolutions were taken by the Majority of the Board against those Motions.

The Proceedings of the Governor General and Council of the 31st of August, 9th September, and 2d October 1779, will shew that the Company's Instructions, prescribing Rules concerning military and other Contracts have been disobeyed and set aside in some Instances of very great Importance; particularly the Contracts for victualling the Army and Fort William, and for supplying the Army with Draft and Carriage Bullocks.

The Resolutions of the Governor General and Council of the 12th of April 1779 (Vide Appendix N° 8) granted Allowances to the Commander in Chief, amounting to more than Double what was fixed for him by Act of Parliament as Member of the Council, and by the Court of Directors as Commander in Chief. Appendix N° 9.

Mr. Francis then added, That he had stated the principal Instances of Disobedience of Orders, as have occurred to him, but he does not doubt, that in looking over the Records many others would appear.

The Court of Directors have censured or disapproved of every one of these Acts; but it is not known to him (the Witnesses) that the Persons guilty of them have ever suffered any other Penalty beyond that Censure. The Letters from the Court of Directors, which were received during the Time of his Residence in Bengal, are filled with the strongest and most pointed Condemnation of almost every Act of the Governor General and Mr. Barwell, and he begs Leave to quote One Passage out of many, as it shews, in a more particular Manner, the Estimation in which the Court of Directors held those Gentlemen.

In the 53d Paragraph of the Letter from the Court of Directors to the Governor General and Council, of the 28th November 1777, it is said,

"When we consider this Profusion of Expence, we cannot but express our Concern that the Power "of granting away our Property in Perpetuity, should have devolved upon Persons whose Com- "plaisance to the Court (of Judicature) has in our Opinion greatly exceeded their Attention to the "Interests of the Company." Vide Appendix N° 10.

To this Mr. Francis begged Leave to add, that the Court of Directors, in their Letter of the 4th of

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of March 1778 (Vide Appendix, N° 10) ordered a Suit to be instituted in the Supreme Court of Judicature against Mr. Barwell; which Order was not carried into Execution, and has not, to his Knowledge, been enforced or taken any further Notice of by the Court of Directors.

Your Committee thinking it necessary to examine Mr. Francis upon the Matters contained in the foregoing Relation, he was asked, What particular Reason did Mr. Hastings assign for acting contrary to the Standing Instructions of the Company, when he engaged in the Maratta War? he said, Mr. Hastings's Reasons in Support of his Measures are stated at large in his Minutes recorded in the Bengal Consultations from January 1778 inclusive. The Witness said, That in the Course of their Debates he often urged that these Measures stood in direct Opposition to the Company's fundamental Principles and Instructions, but he does not recollect that any Attention was ever given, or Answer made to that Objection.—And being asked, What Reasons did Mr. Hastings assign for Disobedience of the Company's Orders respecting Mahomed Reza Cawn and Mr. Francis Fowke? he said, The Majority of the Board, then consisting of Mr. Hastings and Mr. Barwell, paid no Attention, as far as he can recollect, to the Company's Orders on these Points; but Mr. Francis begged Leave to refer to the Consultations, of which he pointed out the Dates (Appendix, N° 3, 4, and 6): The Declaration made by Two Members of the Council upon an Order for re-instating Mr. Fowke in his Office, which appears in the Consultations of the 20th July 1778 (Appendix, N° 4, I) will shew to the Committee better than he can, on what Principles the Majority then proceeded.

And being further asked, Whether there was any other Proceedings in Council upon this Subject? he said, On the 1st and 5th of April 1779 (which was soon after the Arrival of Sir Eyre Coote) he moved in Council, That the Company's Orders respecting Mr. Fowke should be carried into Execution; a Reference to the Consultation of those Days will shew what was the Event of that Motion (Vide Appendix, N° 4 (O and P).—Being asked, What was the Proceeding of the Court of Directors when this Disobedience of their Orders came before them? he said, All that he can recollect is, that they expressed great Surprise, and repeated the Order (Vide Appendix, N° 4 (S).—Being asked, At what Interval of Time did that Repetition of the Order arrive in Bengal? he said, Their Orders on the Council General's Proceedings he thinks arrived about the latter End of 1779, but he does not know that the Court of Directors have ever taken Notice of the Council General's subsequent Proceedings of the 1st and 5th of April 1779; that no Orders on these Proceedings had arrived when he left Bengal.—Being asked, What was the Result of the last Orders of the Company? he said, They were not carried into Execution till Three Months after they were received, and when it was done it was not in fact in Obedience to the Company's Orders, but in consequence of his personal Interposition with the Governor General in February or March 1780; and since his (the Witness's) Departure, Mr. Fowke has again been dismissed from the same Office without any Charge or Imputation whatsoever against his Conduct (Appendix, N° 4 (U).—And Mr. Francis being asked, What is the Committee to understand by his personal Interposition? he said, On this Point he begs Leave to refer the Committee to the Papers transmitted to the Court of Directors with his Letter of the 12th of October 1780 (Vide Appendix, N° 11) and more particularly to his Minute recorded on the 11th September 1780 (Vide Appendix, N° 11 (P).—Being asked, Whether the Company repeated their Orders relative to Mahomed Reza Cawn? he said, As soon as they heard of his Dismissal they ordered him to be re-instated, with strong Censure of Mr. Hastings and Mr. Barwell (Vide Appendix, N° 6 (A a.). Soon after those Orders were received, in November 1779, he moved for their being carried into Execution; Mr. Barwell having retired from the Board, the Question was carried in the Affirmative; but the next Day the Governor General moved, in the Presence of Mr. Barwell, that those Proceedings should be reconsidered; in consequence of which the First Resolution for obeying the Company's Orders was reversed (Vide Appendix, N° 6 (C a D a.). In February 1780 Mahomed Reza Cawn was nevertheless appointed to the Office of Naib Subah (See Appendix, N° 6 (I a.).—Being asked, What Reason did the Majority of the Council assign for a Change of their Opinion in the Re-appointment of Mahomed Reza Cawn, which did not exist when they disobeyed the Orders of the Company for his Re-instatement? he said, He thinks it stands as an Act or Resolution of the Board, without any Debate, or Reasons assigned.—And being asked, Whether he could assign any Reasons? he said, He attributed it to the same personal Interposition of his with the Governor General, which he has already alluded to in the Case of Mr. Fowke.—And being again desired to explain to the Committee what he meant by "personal Interposition?" he said, The Papers annexed to his Letter to the Court of Directors, of the 12th of October 1780, (Appendix, N° 11.) contains a full Account of the Transactions between Mr. Hastings and him, which began with an Accommodation between Mr. Hastings and him, and ended in personal Difference, of which the Court of Directors have been informed; he therefore begs that the Committee will rather refer to those Papers than to his personal Evidence upon this Question.—And being asked, Whether it was a Part of a private Agreement between him and Mr. Hastings, that Mahomed Reza Cawn, Mr. Fowke, and Mr. Bristow should be re-instated in their former Employments? he said, It was that Mahomed Reza Cawn, and Mr. Fowke should be re-instated; Mr. Bristow was afterwards re-instated in the Office of Resident at Oude, but not exactly in that in which he was before.—And being asked, Whether the Restoration of Mahomed Reza Cawn and Mr. Fowke by that Agreement, was what he meant by "personal Interposition?" he said, It is.—Being asked, What Reasons did the Majority of the Council assign for not obeying the Company's Orders relative to the Contracts mentioned by him? he said, He does not recollect that they assigned any, except that in general the Nature of the Services required Contracts for a longer

longer Duration than One Year. The Arguments used by Mr. Wheler and himself in August and September 1779, against the Contracts then given away by the Board without public Advertisement, were never answered or taken Notice of. In these Arguments Mr. Wheler and he particularly appealed to, and insisted on, the express Orders and Instructions of the Court of Directors in relation to Contracts, and which, as they thought, were entirely disregarded and overset by the Board. —Mr. Francis then being asked, Whether the Court of Directors did approve the Reasons given for Disobedience of their Orders, and reject the Reasons assigned by him and Mr. Wheler, tending to prove that no Inconvenience would arise from Obedience of those Orders? he said, In the Letter of the 23d of December 1778, they entered particularly into the Subject of certain Contracts which had been entered into the Year before by the Majority then existing, and they condemn every Part of the Proceedings of that Majority in those Instances. The new Contracts entered into in 1779, were formed upon the same Principles, but were of much greater Consequence with respect to their Duration and Amount, and were in other Respects of a much more questionable Nature than those which the Court of Directors had already condemned; that when he left Bengal, there had not been Time for the Receipt of any Orders from the Company on the Subject of the latter Contracts—And being asked, Whether the First Contracts were rescinded in consequence of the Disapprobation of the Court of Directors? He said, No.

The Committee then represented to Mr. Francis, that he had in his Letter reproached the Court of Directors with Breach of Promise: He was asked, In what does it consist? to which he said, Principally in not giving to General Clavering, Colonel Monson, and himself, that Support which they encouraged them to expect, and from the constant Approbation of the Court of Directors of their Conduct, and constant Disapprobation of the Conduct of Mr. Hastings and Mr. Barwell, they had Reason to expect from them. In several Instances, some of them of great Moment, they promised them Orders and Regulations by a future Conveyance, which to his Knowledge were never sent. The Witness said he should mention Two Instances from Memory.

In their General Letter of December 1778 they appear to have taken into their Consideration, the whole Transaction of Mr. Hastings's Resignation of the Government, and they conclude with saying, "That the Measures which it might be necessary for them to take in consequence thereof, in order to retrieve the Honour of the Company, and to prevent the like Abuse from being practised in future, shall have their earliest and most serious Consideration." Mr. Francis added, That he had never heard of their having at any Time resumed the Subject.

The next Instance Mr. Francis stated, was, That in their Letter of the 18th May 1779, writing of the proposed Alliance with Moodajee Boosla, they say, "As the Subject is important, it shall have an early and impartial Consideration, and our further Sentiments and Orders thereon shall be communicated to you by the Ships which remain to be dispatched." And Mr. Francis said, That when he left Bengal on the 15th December 1780, the Council General had never heard any Thing from the Court of Directors on the Subject.

Mr. Francis being then asked, Whether he knew of any other Instances where the Court of Directors have condemned the Governor General and another Member of the Council, in the Terms described in his Letter, the strongest that ever applied to Men possessing so high a Trust and Station, and who were not instantly divested of both? he said, Yes, many; he cannot refer to them from Memory, but begs Leave to have Time to consult the General Letters.

Mr. Francis being asked, What is the Appointment given to the Governor General and the other Members of the Council, to which he has alluded in his Letter? he said, The Term of Five Years, fixed by the Act of Parliament for the Continuance of the Governor General and Council therein named, expired on the 19th October 1779; from that Day to the 13th of November the Council General had no Advice whatever of any new Commission, but they agreed to hold on for the Sake of the Public Service. On the 13th of November the Company's Letters dated in December 1780, were received; One of them enclosed a new Appointment, or Act of Confirmation, by the Authority of the Court of Directors, to the same Persons who then held the Government: And the Witness added, that it is to be remarked, that the Letters of that Date were the most severe against Mr. Hastings and Mr. Barwell, who at the same Instant were continued in the Administration of their Affairs.

Mr. Francis was then asked, At what Period did Sir John Clavering's and his Efforts cease to have Weight enough to preserve the Peace of India, as stated in his Letter? to which he said, By the Death of Colonel Monson in December 1776, the Power of the Government devolved upon the Governor General and Mr. Barwell; however, as long as Sir John Clavering lived, no Innovation was attempted with respect to Measures that might affect the Peace of India; he died about the End of August 1777; in December following, the Presidency of Bombay entered into new Engagements for the Re-instatement of Ragobah at Poona, and in the Beginning of February 1778, the Governor General and Council resolve to send an Army across the Jumma, to traverse India, under the Command of the late Colonel Leslie.

Your Committee not having in this Part of their Inquiry any further Questions to put to Mr. Francis, thought proper to examine Major Scott (Mr. Hastings's Agent) to the same Points; who being asked, Whether Mahomed Reza Cawn was restored to the Office of Naib Subah? he said, He was, he believes, to the Office, as described by the Court of Directors. The Committee then represented to Major Scott, that as Mr. Hastings refused to restore him to that Office by the Orders of the Court

Court of Directors, and asked him, what were Mr. Hastings's Reasons for restoring him to that Office afterwards? to which he said, When Mr. Hastings refused to carry the Orders of the Court of Directors into Execution, no Agreement had been entered into between him and Mr. Francis, Mr. Hastings reasonably supposed, that if Mahomed Reza Cawn had been restored previous to the Agreement, it would have been looked upon as preparatory to Mr. Hastings's Dismissal; and he does positively pronounce it would have had that Effect upon the Opinion of the Natives; after the Period that Mr. Hastings refused to execute the Company's Orders, an Agreement was entered into between Mr. Francis and Mr. Hastings; this Agreement, though not the exact Terms of it, was universally known. The first Idea of such an Agreement originated from a Conversation on Public Affairs, which Mr. Ducarell, a Gentleman now in Calcutta, held with him on the Evening of the 25th of December 1779; he communicated that Conversation to Mr. Hastings, who authorized him to tell Mr. Ducarell, for the Information of Mr. Francis, that Mr. Hastings was heartily tired of Controversy, and wished heartily to unite with Mr. Francis, but that there were certain Points which he could not give up; he never could consent to Mr. Bristow's Return to Oude, because it would destroy that Influence which was necessary to conduct the Business of Government; that he had not the smallest personal Objection to Mr. Bristow, and would willingly provide for him in any other Line; that he insisted upon having the Conduct of the Maratta War, because Mr. Francis and Mr. Wheeler had thrown the whole Responsibility upon him, observing, at the same Time, that he earnestly wished to conclude a Peace with the Marattas; he thinks Mr. Hastings then mentioned to him, that the same Reasons which applied to Mr. Bristow, were equally applicable to Mahomed Reza Cawn and Mr. Fowke. He communicated this to Mr. Ducarell. Mr. Hastings and Mr. Francis had several private Conferences together; and Mr. Hastings from Time to Time told him. It was at last agreed, as he understood from Mr. Hastings, that Mr. Bristow was not to go to Oude before the Month of October 1780, it being concluded that by that Period some Orders decisive would arrive from England. He did understand that Mr. Hastings was to have the Conduct of the Maratta War, and that Mr. Fowke and Mahomed Reza Cawn were to be put in Possession of the Places assigned them by the Court of Directors—Being asked, What Tendency the Appointment of Mahomed Reza Cawn, upon an Agreement with Mr. Francis, when the same Thing had been refused to the Orders of the Company, had to contradict an Opinion, that it would have been looked upon as preparatory to Mr. Hastings's Dismissal and Mr. Francis's Succession? he said, The Agreement which Mr. Francis entered into with Mr. Hastings was looked upon, and with great Reason, as tantamount to a positive Declaration from Mr. Francis, that he had no immediate Expectation of succeeding to the Government; that he does not know whether Mahomed Reza Cawn is at this Time in Possession of the Office of Naib Subah—And being asked, What was the Reason for restoring Mr. Francis Fowke? he said, It was Part of the Agreement—Being asked, Whether Mr. Fowke is now in Possession of the Office to which he was re-instated? he said, No, he is not; he was removed on the 14th of January 1780—Being asked, For what Offence he was removed? he said, For no Offence, but for the Reasons assigned in Mr. Hastings's Minute, which he has laid before the Committee (Appendix N° 4. U)—And being asked, Whether Mr. Hastings does abide by those Reasons? he said, He certainly does—He was then asked, Whether Mr. Fowke was removed by his own Consent, or at his own Desire? he said, No, it was not of his own Desire; but Mr. Hastings did not wish to injure Mr. Fowke, though he thought it necessary for the Public Service to remove him from Benares; the Governor General promised him a Compensation; but he has Reason to believe that Mr. Fowke does not look upon his present Appointment as a Compensation—Being asked, Whether he knows of an Order of the Court of Directors against arbitrary Removal of Servants from their Offices? (Appendix, N° 5) he said, He does, there is such an Order; and he is sure no Man living would be less inclined to deviate from that Order than Mr. Hastings, but that there are certain Cases in which it may be necessary; and he added, that he solemnly believed this might be one of them—Being asked, What was the Compensation given to Mr. Fowke? he said, No other but the Provision of Boats, by Agency, from September 1780, and a Salary of a Thousand Rupees a Month from the Day of his Removal until Three Months after that Period—Being asked, If that Salary is annexed to any Office? he said, Not that he knows of—Being asked, Whether the Company's Treasury was in a flourishing State when the Compensations were given for Offices from which Persons were removed without Crime or Incapacity alleged, or otherwise? he said, To the First Part he answers, it was not in a flourishing State, it was in Distress; and to the Second, the Removal of Mr. Fowke without Crime or Incapacity alleged, he begs Leave to say, that Mr. Fowke, as Resident at Benares, appear to him, and certainly, is as an Ambassador at a foreign, though dependent, Court; from that Rajah the Company receive £. 300,000 Sterling a Year; Benares is the Seat of Politics; Vackeels, or Ambassadors, from every Power in India reside constantly there; and whilst Mr. Hastings is charged with the Interests of this Empire in India, it would, in his Opinion, be just as absurd to deprive him of the Power of Nomination of his Ambassador at Benares, as it would be to force on the Ministry in this Country an Ambassador from the Opposition—Major Scott being then asked, To whom are these Vackeels and Ambassadors sent who reside at Benares? he said, They may have occasionally Audiences of the Rajah, but they reside there for the Purpose of giving Intelligence—Being asked, Whether the Ambassadors there have plenipotentiary Powers? he said, He should have said Vackeels, and not Ambassadors; he has not a Doubt but that there is a Vackeel from Hyder Ally Cawn there, though not publicly known.

Your Committee then asked Major Scott, Whether the Rajah has the Power of making Peace and

and War independent of the Company? he said, No, he has not.—Being asked, If the Resident there has the Receipt of the Tribute? he said, Yes; and transmits it Monthly, in Cash or Bills, to Calcutta.—Being asked, What has the Resident to negotiate at the Court of the Rajah as Ambassador? he said, There may be many Points; he will mention one, which happened a few Years ago: When we received Intelligence of the War with France, Mr. Hastings thought it necessary that the Rajah should contribute to the Expence of the Battalions which were raised on that Account; he paid it for One Year; and it was understood by the Rajah, that Mr. Francis disapproved of this Demand in future; the Rajah positively refused to pay this increased Demand for the next Year, on a Supposition, as it was generally thought, that Mr. Francis was upon the Point of succeeding to the Government; Sir Eyre Coote joined with Mr. Hastings to enforce this Demand, and Two Battalions of Sepoys were marched towards Benares to enforce this Demand, and the Rajah then paid the Money.—Being asked, When this happened? he said, In the Month of July 1779.—Being asked, Whether at the Time of the Removal of Mr. Fowke, the Rajah had refused to pay this extra Demand? he said, He had about a Month before, but it was paid before Mr. Fowke's Removal.—Major Scott was then asked, If it was so improper to nominate Mr. Fowke to an Office of the Nature of an Embassy to a Foreign Court, how came he so to nominate him? he said, It was an Article in the Agreement between him and Mr. Francis.—Being then asked, Does Mr. Hastings consider this Appointment as a Private Agency or as a Public Office held under the Government? he said, A Public, undoubtedly.—Being asked, Whether Mr. Hastings has considered the Resident at Oude in the same Light? he said, Certainly; when Mr. Hastings makes use of the Words "Private Agent," he does not mean that he has any positive Business to transact either at Oude or Benares.—Being then asked, Why he then calls him his Private Agent? he said, Because, as he conceives, all political Correspondence goes through the Channel of the Governor General, and he may make certain Communications through an Agent, which he has called a Private Agent.—Being asked, Whether the Governor General has not, under Colour of that supposed private Agency, refused to submit the Correspondence of that Agency to the Board? he said, He did, because he conceived the Demand of that Correspondence as a personal Insult to himself.—Being asked, Whether this Distinction between Public and Private Agency has not been reprobated by the Court of Directors in the Case of Mr. Middleton? he said, Yes, he believes it has.—And being asked, What particular Reasons existed for the Removal of Mr. Fowke, which did not exist at the Time of his Appointment under the Agreement with Mr. Francis? he said, None that he knew of; but Mr. Hastings was willing to sacrifice much to procure Unanimity at the Council Board.—Being asked, What Nature is the Agency for Boats? he said, Mr. Fowke, as he understands, is to have the Provision for all Boats that may be wanted for the Service of the Army, and he is to draw Fifteen per Cent. he believes, upon his Disbursements.—Being asked, Who advances the Money? he said, The Company.—Being asked, Whether it is considered in Bengal, that a Commissariate for the Supply of the Army is a proper Equivalent for an Office which was in the Nature of an Embassy to a Foreign Court? he said, No, he thinks not.—Being asked, Whether Mr. Fowke was particularly bred to any Business respecting Boats, that made him a proper Person to execute that Branch of the Commissariate, rather than his Office of Resident at Benares? he said, Not that he knows of.—He was then asked, What Reason Mr. Hastings had for altering the Mode of Contract which he had adopted in the Case of Colonel Morgan, to that of Agency, which he had adopted in the Case of Mr. Fowke? he said, He knows of none, but what is mentioned in his Minute; he must undoubtedly have been a better Judge of that Matter than any other Person, from his being the first executive Officer of that Government.—Being asked, How came he then to take the Method of Contract with Colonel Morgan? he said, He believes it was recommended by Sir John Clavering, but he might have had Occasion to alter it himself.—Being asked, Whether Mr. Hastings did at the same Time alter all the other Contracts, and turn them into Agencies as fast as they expired? he said, He really does not know.—Being asked, What Reasons are given for Disobedience of the Company's Orders in the Case of Mr. Bristow? he said, None, but the Reasons contained in Mr. Hastings's Minute when that Subject was under Consideration.—Being asked, How Mr. Hastings came to appoint Mr. Bristow to the Residency of Oude after he had refused to give him that Appointment in Obedience to the Orders of the Company? he said, He never did; he opposed it to the utmost of his Power, assigning his Reasons; but that it was carried against him by the Majority in Council.—Being asked, Whether Mr. Hastings did not remove Mr. Bristow afterwards? he said, No, he did not; but he has received a private Letter from Mr. Hastings, in which he tells him, that he will remove him, and that Mr. Wheeler concurs in the Propriety of it.—Being asked, What Misdemeanor or Delinquency did Mr. Hastings assign for his intended Removal of Mr. Bristow from the Execution of his public Duty? he said, None.—Major Scott was then desired to inform the Committee, What Particulars, in Mr. Bristow's Letter to the Board (Appendix, N^o 3. I.) appeared to deserve the Epithets given in Mr. Hastings's Minute, concerning the Capacity and Behaviour of Mr. Bristow? he said, Mr. Bristow's whole Letter is very ill written in point of Language and Argument; this was the general Opinion of every Person who saw it in Calcutta. The Words "Claims grounded upon the highest Authorities," and, "our Honourable Superiors," are insolent Expressions, when writing to the Supreme Council of India; "accusing the Board of treating him with Neglect," is another; "in order to discharge my Duty to your Honourable Superiors," is another. This is not a Style in which the Supreme Council, or the Members of the former Administration, were addressed, to his Knowledge.

Knowledge. Lord Clive, in his Government, would have sent Mr. Bristow a Prisoner to Europe, in his Opinion, if he had written such a Letter to him. All Mr. Bristow's Friends, and Mr. Wheeler in particular, advised him not to give the Letter in to the Board.—Being then asked, In what Manner does Mr. Fowke, as Resident at Benares (his public Conduct being approved of by the Governor General) stand as a Screen between the Rajah and the Government at Calcutta, instead of an Instrument of Controul, as mentioned by the Governor General in his Minute of the 14th of January 1781? (Appendix, N^o 4. (U.) he said, He has the Pleasure to be intimately acquainted with Mr. Fowke, and knows him to be a very honourable and sensible Man, but he does not believe it would have been possible to have convinced the Rajah that Mr. Fowke was the Man of the Governor's Choice; and therefore he stood as a Screen between the Rajah and the Government, instead of an Instrument of Controul.—Being asked, Why should the Rajah of Benares, and every Chief in Indostan who has Connection with the English Government, consider Mr. Fowke, being the English Resident at Benares, as the Pledge and Foundation of their own Independence? he said, He certainly does not know—Major Scott was then asked, Whose Representative would the Rajah have supposed Mr. Fowke to be? he said, Mr. Fowke was sent up originally against the Governor General's Inclination, and he thinks the Rajah would have supposed him to have been the Representative of the Party in Council in Opposition to Mr. Hastings.—Being asked, If it was not known throughout the Country, that he was Resident for the British Government? he said, The Rajah and Natives do not think any Thing about the British Government, but they suppose that all Authority is lodged in the Majority of the Council.—Being asked, If the Natives then suffer any Grievance from any Part of the British Government, would they be inclined to look to Great Britain for Redress, or to the Power in Council who might chuse the Resident at Benares? he said, To the Power in Council, he thinks; Three Armenians, as he understood, did come to England to solicit Redress for illegal Imprisonment, and other Hardships they complained of, and he believes they did not obtain Redress equivalent to their Loss of Time and Expences.—Being asked, If it has not been held a prudent Principle of Policy, to strengthen their Attachment to, and Dependence upon the Authority of Great Britain? he said, Yes, he thinks it has been held, and is a prudent Policy—Major Scott was then asked, If a Person appointed from Great Britain a Representative of the British Nation at any Court in India, is not suffered to hold that Station, does it not necessarily tend to lessen that Dependence? he said, No, not in the least, in his Opinion.—Being asked, What Authority does it then principally teach them to respect? he said, The Authority of the Governor General and Council, or a Majority of them, which they will always respect, and no other.—Being asked, Suppose the same Principles were to prevail amongst the Natives resident in the more immediate Possessions of the Company, would it not tend to alienate their Minds from Great Britain, and fix their Dependence upon those Persons only in the Government in Bengal, who casually possess the Power? he said, Their Dependence in his Opinion can only be placed upon those Persons in Bengal, who casually possess the Power.—Being asked, Upon that Principle, would not the Natives in general be discouraged from all Representation to Great Britain? he said, Yes, certainly; he means the great Body of the People.—Being asked, Whether the personal Approbation of the Governor General gives greater Weight to an Act of Government in India, than a Resolution of a Majority in Council, when in Compliance with Orders from the Court of Directors? he said, He thinks the Court of Directors Orders are not, and ought not to be explained to the Natives; and that the Approbation of the Governor General does give a greater Weight, but it is not necessary by the present Constitution of the Company.—Being asked, Whether the Governor General is not obliged to sign the Orders of the Majority, though he himself should be in the Minority? he said, Yes, he thinks the Governor General is, as he says in his Minute, but he pleads the Precedent of Sir John Clavering not signing some particular Letter, for refusing to sign one himself.—Being asked, If the Rajah of Benares faithfully pays the Tribute according to the Treaty between him and the British Government, what is meant by the Resident being an Instrument of Controul? he said, He does not know.

Your Committee further asked Major Scott, Whether he does not know, that to remove the Servants of the Company from their Stations without Charge or Hearing, is contrary to the Company's Orders? he said, He believes it is.—Being asked, Whether he could assign the Reason why Mr. Hastings did not obey the Orders of the Company for re-instating Mahomed Reza Cawn in his Office of Naib Subah? he said, He could not speak positively; but the Re-instatement of Mahomed Reza Cawn was, he believes, universally in Bengal looked upon as an entire Matter of Party: And the Witness said, he declared, that from Delhi, and from every Part of Indostan dependent upon or connected with Bengal, Reports were industriously circulated, and continually inserted in the Country News papers, that Mr. Hastings was upon the Point of being dismissed from the Government of Bengal, to which Mr. Francis was to succeed: That the Paragraphs in the Company's General Letters were as industriously circulated, which contained Reflections upon the Conduct of Mr. Hastings: That Mr. Hastings, in order to preserve that Portion of Authority which was necessary to conduct the Business of Government, was obliged to adopt Measures which were by no Means agreeable to him. It is upon Record that Mr. Hastings paid a pointed Attention to the Orders of the Court of Directors in the first Three Years of his Government; he had no private Resentment against Mahomed Reza Cawn; and Mahomed Reza Cawn himself has repeatedly declared, that he owed his Life to the Impartiality and the Justice of Mr. Hastings, when Nundcomar accused him of Crimes which, if they had been proved, would have deserved Death.—Being asked, What he means by a Measure of Party? he said, Mahomed Reza Cawn's Re-instatement would have been considered in India as preparatory to Mr. Hastings's Dismissal from the

Service—Being asked, Whether those Two Things were connected in the News-papers to which he alluded? he said, He does not immediately recollect that; but he connected them together, and he believes every Body else did—Being asked, Whether it is understood in India that the Governor General is under the Orders of the Court of Directors or not? he said, It is so understood; but they in India suppose the Governor General and Council may dispense with the Orders of the Court of Directors, and they are bound to obey the Governor General and Council only—Being then asked, Why in India it is thought that the Governor General's Obedience to the Orders of the East India Company is connected with or tantamount to a Dismission from their Service? he said, He does not say so now; but he speaks of a particular Period, and then it would have been thought so—Being asked, Whether at the Time of receiving that Order from the Company, there was any Intimation of their Intentions of removing him from their Service? he said, Not in the General Letter; but he speaks positively, that Copies of Letters, or what was said to be Extracts of Letters from Persons of Power in England, were industriously circulated all over India, saying, that Mr. Hastings would by the next Dispatches be dismissed from the Government, and Mr. Francis appointed Governor General—Mr. Scott was then asked, Whether Mr. Hastings did not, about that Period of Time, actually receive from the Court of Directors a Confirmation of his Authority? he said, He believes he did in the very same Letter which mentioned Mahomed Reza Cawn; and Mr. Hastings, as he well recollects, ordered the Troops at Fort William under Arms, and a Salute to be fired in consequence of this Re-appointment; but he also recollects perfectly well, that this Mark of Honour to Mr. Hastings was opposed by Mr. Francis, and the Re-appointment treated as a mere temporary Measure till the Government could be fixed. The Witness also begged Leave to observe, that near Six Months before the Arrival of this Letter, an Officer (Captain Markwood) arrived in Calcutta over Land from London. He left London on the 27th of March 1779, and brought no Account whatever of Mr. Hastings's Re-appointment to the Government; but the Day after his Arrival, it was said that he had brought a Letter to Mr. Francis from one of the Directors, in which it was positively said he was to be Governor General, and Mr. Hastings dismissed—Being asked, Whether Mr. Hastings's Disobedience of the Orders of the Company had a Tendency to discredit that Report, and to prove to the Company's Servants and to the Natives, that he was to be continued in his Authority by the Court of Directors? he said, To the Natives undoubtedly throughout India, no Man who then served in India but must know it—Being asked, Whether it was usual, upon any Report of a Governor General's Removal, to disobey the positive Orders of the Court of Directors? he said, No; and he will venture to say, that no Governor in India was ever situated as Mr. Hastings was at that Time in Bengal—Being then asked, Whether the Act of Parliament gives any Power to the Governor General and Council of disobeying or suspending the Execution of the Company's Orders, in any Case whatsoever? he said, He does not know; but without such a Power being occasionally exercised, if necessary, he does not see how a distant Country can be governed—Mr. Scott was then asked, Whether the Want of such Power has been stated to the Court of Directors, or to any other Power in England? he said, Not that he knows of.

Being then asked, Whether he means that such a dispensing Power must be exercised upon unforeseen Exigencies of the Government, or upon the Governor's own Opinion of what may affect his Authority in the Minds of others? he said, The Governor's Personal Authority, if he has a Majority of the Council in his Favour, must be preserved in the utmost Extent, in the Opinion of the Natives, or 5000 Men, in his Opinion, could never govern Fifteen Millions—Being then asked, Whether he meant a self-derived or a subordinate Authority? he said, The Governor's Authority is undoubtedly subordinate to the Court of Directors. Mr. Hastings, whenever he has disobeyed the Company's Orders, has stated his Reasons for so doing; if they were not valid, he undoubtedly expected to be dismissed the Service for Disobedience of Orders—Being asked, Why he thinks, whenever there is a Minority in Council who differ in Opinion with the Governor General and a Majority, it becomes a Reason for the Governor General and Majority to disobey the Orders of the Court of Directors? he said, It does not become a Reason in common Cases; but if the Restoration of Mahomed Reza Cawn, the Re-appointment of Mr. Bristow to Oude, and Mr. Fowke to Benares, by the Court of Directors, had been carried into Effect in Bengal, the Natives from Calcutta to Delhi would have deemed those Appointments as preparatory to Mr. Hastings's Dismission, and Mr. Francis's Promotion to the Office of Governor General of Bengal.

Being asked, Whether by People in Power in India it is thought a sufficient Reason to disobey the Orders of the Company whenever it shall appear to them to be a Step preparatory to their Dismission? he said, He cannot tell what were the Opinions of Men in Power in general in India; but in these Instances it certainly was Mr. Hastings's—Being asked, Upon what Grounds is it that the Disobedience of the Company's Orders in India is thought to be a Proof that the Governor is to be continued in his Office? he said, The Natives, who only judge from Appearances, suppose he would not have gone to such Lengths, without being sure of Support from Home.

Mr. Scott was then asked, What Inconveniencies would have arisen to the State, from an Opinion of the Natives, that Mr. Hastings was to be dismissed, and Mr. Francis appointed Governor General? he said, A very great one undoubtedly; he has already said, that Five Thousand Europeans can never govern Fifteen Millions of Natives, and the Hands of Government should undoubtedly be strengthened by every possible Means—Being asked, What Distinction he makes between Mr. Hastings being the Governor General and Mr. Francis succeeding to that Office? he said, None at all when Mr. Francis had succeeded to the Government.

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Being asked, Whether it is considered as any Diminution of the Authority of the Governor General and Council in India, that the Orders they issue are the Result of the Instructions from the Court of Directors? he said, No, certainly not, in common Cases; but in the Cases alluded to, the Orders of the Court of Directors were industriously circulated amongst the Natives to impress them with an Idea of the Instability of Mr. Hastings's Power, and that they might expect a speedy Removal.

Being asked, What were Mr. Hastings's Reasons for disobeying the Company's Orders for the Restoration of Mr. Francis Fowke? he said, They were contained in Mr. Hastings's Minute, to which he begs Leave to refer (Appendix, N° 4, U)—The Committee then represented to Major Scott, that Mr. Fowke having been a Second Time sent to Benares, and asked him, Whether he can acquaint the Committee, why he was removed from a Station to which he was appointed by the Court of Directors? he said, He begs Leave to lay the Minutes in the Consultations of 14th January 1781, upon that Subject, before the Committee (Vide Appendix, N° 4.)

Your Committee then asked Major Scott, Whether he had any other Justification to offer to them, for the Disobedience of the Orders of the Company in the several Cases of the Contracts, and of Mahomed Reza Cawn, Mr. Bristow, and Mr. Fowke? to which he answered, No.

Your Committee then thought proper to call before them William Devaynes, Esquire, who has passed through the Offices of Chairman and Deputy Chairman of the East India Company, and to examine him upon the Subject of Disobedience of Orders; and

The General Letters from the Court of Directors, of the 14th May 1779, and of the 27th May 1779, respecting the Re-instatement of Mr. Fowke (Appendix, N° 4. R and S) being read to him, he was then asked, What Measures did the Court of Directors take in consequence of their Resolutions contained in the Paragraphs of the above Letters? he said, He does not recollect that they took any Steps whatsoever, taking it for granted that the Orders would be immediately complied with—Being asked, Whether the Court of Directors did not promise and engage to the Council General of Bengal, to take some Measures in consequence of that Disobedience? he said, They did—Being asked, Whether it was from any Experience of the habitual Obedience of the Company's Servants in Bengal, that he took it for granted that the Order would be immediately complied with? he said, No; but from the positive Manner in which it was directed—Being asked, Whether he has not Reason to know that other Orders of the Company, equally positive, had been disobeyed? he said, He thinks several Orders of the Company had been disobeyed, but he does not recollect that any were so positively directed as the Order respecting Mr. Francis Fowke—Being asked, Whether it was finally obeyed? he said, He does not recollect—Being asked, Whether the Minutes of the Consultations of the Governor General and Council are transmitted to the Court of Directors, and read? he said, They are transmitted, and read short—Being asked, Whether when the Matter of those Consultations is important, and concerns the Obedience to their own Orders, it is not the Duty of the Chairman and Deputy to read those Consultations at length? he said, when any Matter of Moment, on which the Court of Directors are to decide, is to be brought forward, the Chairman and Deputy generally have Extracts made of the Business that is to come before them—Being asked, Whether such Extracts were made in this Case? he said, He does not recollect—Being asked, Whether in reading these Consultations he has not seen the Principle of Disobedience avowed and justified? he said, He thinks he has.

Then the Minute of Mr. Barwell, in the Proceedings of the Governor General and Council in their Public Department, of the 1st of April 1779, respecting Mr. Fowke (Appendix, N° 4. O) being read to Mr. Devaynes, he was asked, Whether that Minute, avowing a Principle of Disobedience to the Orders of the Company by the Members of the Council, whenever they thought the Dignity of the Governor General affected by those Orders, did not call for some Proceeding on the Subject by the Directors to vindicate their own Authority? he said, He thinks it did—Being then asked, Whether any such Proceedings were had? he said, He does not know that any Resolution was come to by the Court of Directors in consequence of the Disobedience of Orders, and Avowal of the Principle, though some desultory Conversation did pass upon the Subject—Being asked, Whether there have not been other Acts of Disobedience in Bengal, justified upon a similar Principle? he said, He believes there were other Acts of Disobedience, but he does not know whether they were justified upon a similar Principle—Being asked, Whether he did not understand, that by the Regulating Act of 1773, the Governor General and Council were directed to obey the Orders they were to receive from the Court of Directors? he said, He understands they are—Being asked, Whether it has been usual before that Act passed, for the Company's Servants openly to avow a Principle of Disobedience to the Company's Orders, and to record it on their Consultations? he said, He does not recollect any such Instances—Being asked, Whether after the Court of Directors had expressed their Resentment in very strong Terms against the Disobedience of their Orders in the Case of Mr. Fowke, he did, as Deputy Chairman of that Company, think that the mere Obedience to a repeated Order from the Company, ought to have exempted those who had disobeyed it, from such Reprehension as is due to Disobedience? he said, He thinks the Paragraph of the Letter of the 27th of May 1779, is a Reprehension, and promises something more—Being asked, Whether he can assign any other Reason why the Court of Directors did not proceed according to their Letter of the 27th of May, except what he has expressed in his former Answer? he said, No, he cannot—Being asked, Whether there has not, Year after Year, repeated Censures been sent out by the Court of Directors against certain Acts of the Bengal Government? he said, He believes many—Being asked, Whether the Court of Directors found that these Censures tended to lessen the Principle and Practice of Disobedience in their Servants?

Servants? he said, He does not think it did—Being then asked, Whether he does not think that the Authority and Controul of the Court of Directors is rendered nugatory by such Disobedience? he said, He thinks it is lessened—And being asked, If the British Subjects and Natives in Bengal find that the Orders of the Court of Directors are repeatedly disobeyed, to what Power or Authority does he imagine they will look up? he said, Certainly to the Government there.

Mr. Francis having, in his Evidence before your Committee, stated, That the Company's Instructions and Orders had been disobeyed by the Governor General and Council with Impunity, and in Confirmation of his Evidence, mentioned the Dismission of Mr. Bristow from the Office of Resident with the Nabob of Oude, in December 1776; and that Mr. Francis Fowke was dismissed at the same Time from the Office of Resident at Benares, and both of them without any Charge or Imputation of any Kind, contrary to the Twentieth Article of the Company's General Instructions to the Governor General and Council; Your Committee proceeded to examine into the Conduct of the Governor General and Council, relative to this Disobedience; and they now report to the House the Matter as it appears on the Company's Records.

Your Committee find, in the Proceedings of the Governor General and Council, in their Secret Department, of the 15th of December 1774, (Appendix N° 3. A.) that the Governor General made the following Proposition.

"As the Commission originally granted to Colonel Galliez was only for a temporary Purpose, and as the Board have already agreed to appoint a Civil Servant of the Company as Resident at the Vizier's Court, the Governor General proposes to the Board, That they should now make this Appointment; as it is evident, that were the Person who may be so appointed to proceed immediately, in case the Vizier complies with Colonel Galliez's Demands, the Colonel's Commission must be expired before the new Resident could arrive there." Upon which it was agreed,

"That the Governor General's Proposal be deferred for Consideration until Monday."

On the 21st of December 1774, (Appendix, N° 3. B.) it was agreed by a Majority of the Board, "That Mr. Bristow be appointed Resident at the Court of Sujah Dowla."

In consequence of which, the Governor General and Council, in their Secret Letter to the Court of Directors, of the 4th January 1775, (Appendix, N° 3. D.) Par. 5. say,

"It having been resolved, that a fixed Resident at the Court of the Vizier should be appointed from the Company's Civil Servants, the Governor General lately thought fit to propose the Honourable Frederick Stuart for that Trust; but the Governor General's Proposition was not agreed to. Mr. Bristow being afterwards proposed by the General, and this Proposal obtaining the Concurrence of the Board, he was appointed accordingly, with a Salary and Allowances similar to what Mr. Middleton enjoyed in the Employment which he held at that Court."

And your Committee further find, in the Proceedings of the Governor General and Council, in their Secret Department, of the 2d of December 1776, (Appendix N° 3. E.) That the Governor General moved, "That Mr. John Bristow be recalled from the Court of the Nabob of Oude, and that Mr. Nathaniel Middleton be restored to the Appointment of Resident at that Court."

General Clavering, in his Minute entered on the Proceedings of that Day, says, "If the Governor General will think proper to defer his Motion till after the Arrival of the Eagle Packet, which may be now hourly expected, it is more than probable that we shall have further Lights than have been hitherto given to us, of the Sentiments of the Court of Directors, both on Mr. Middleton's Recall, and on Mr. Bristow's Appointment to the Vizier's Court; I would therefore, with the Governor General's Consent, beg Leave to propose, that this Motion be deferred till after the Arrival of that Ship."

To which the Governor General replies, "I think it a Duty incumbent on me to adhere to my Motion. I will not take up the Time of the Board by answering the Objections which have been made to it at this Time, having other Questions which I wish to propose immediately, for their Determination."

After further Arguments it was resolved, "That the Board do not agree to General Clavering's Proposition, for deferring the Consideration of the Governor General's Motion until the Arrival of the Eagle Packet."

General Clavering afterwards moves, "That before the Consent of this Board be obtained for the Appointment of Mr. Nathaniel Middleton to the Vizier's Court, that the Orders, or at least the plain and direct Intentions of the Court of Directors, be complied with."

Which was resolved in the Negative.

It was then resolved, "That Mr. John Bristow be recalled to the Presidency from the Court of the Nabob of Oude, and that Mr. Nathaniel Middleton be restored to the Appointment of Resident at that Court, subject to the Orders and Authority of the Governor General and Council, conformably to the Motion of the Governor General."

In consequence of which, the Governor General and Council transmit to Mr. Bristow the following Letter:

"Having thought proper to recall you to the Presidency, and to restore Mr. Nathaniel Middleton to the Station of Resident at the Vizier's Court, we direct, that on his Arrival at the said Court, you immediately deliver up to him the Charge of that Appointment, and repair to Calcutta."

In consequence of the above Proceedings, the Governor General and Council, in their Secret Letter to the Court of Directors, of the 19th of December 1776 (Appendix, N° 3. F.) Par. 5. say,

say, " We beg Leave to refer you to the Consultation of the 2d Instant, for our Proceedings upon
 " a Motion, proposing the Recall of Mr. Bristow from the Vizier's Court, and the Restoration of
 " Mr. Nathaniel Middleton to the Post of Resident at that Court, under the Orders and Authority
 " of the Governor General and Council. The Motion, after some Debate, was carried in the Af-
 " firmative, and Mr. Middleton has accordingly been restored to that Appointment."

The Directors of the East India Company, in their General Letter to Bengal, of the 4th of July 1777, (Appendix, N° 3. G.) Par. 11, 12, and 13, say :

Par. 11. " Upon the most careful Perusal of your Proceedings of the 2d of December 1776, re-
 " lative to the Recall of Mr. Bristow from the Court of the Nabob of Oude, and the Appoint-
 " ment of Mr. Nathaniel Middleton to that Station, we must declare our strongest Disapprobation
 " of the Whole of that Transaction."

Par. 12. " We observe, that the Governor General's Motion for the Recall of Mr. Bristow, includes
 " that for the Restoration of Mr. Nathaniel Middleton ; but as neither of those Measures appear to
 " us necessary, or even justifiable, they cannot receive our Approbation."

Par. 13. " With respect to Mr. Bristow, we find no Shadow of Charge against him ; it appears
 " that he has executed the Orders of the Board to the entire Satisfaction even of those Members of
 " Council who did not concur in his Appointment. You have unanimously recommended him to
 " our Notice ; Attention to your Recommendation has induced us to afford him Marks of our Fa-
 " vour, and to re-annex the Emoluments affixed by you to his Appointment, which had been discon-
 " tinued by our Order ; and as we must be of Opinion, that a Person of acknowledged Abilities,
 " whose Conduct has thus gained him the Esteem of his Superiors, ought not to be degraded with-
 " out just Cause ; we do not hesitate to interpose in his Behalf, and therefore direct, That Mr. Bris-
 " tow do forthwith return to his Station of Resident at Oude, from which he has been so improperly
 " removed."

The Directors also, in their General Letter to Bengal, of the 23d of December 1778 (Appendix, N° 3. H.) Par. 149. say, " We have likewise permitted Mr. John Bristow to return to his Rank
 " in the Service, and to the Station which he held at the Vizier's Court, and to which he was restored
 " by our Order of the 4th of July 1777."

And your Committee find recorded on the Proceedings of the Governor General and Council, in their Public Department, of the 22d of May 1780, the following Letter from Mr. Bristow to the Governor General and Council, of the 1st of May 1780 (Appendix, N° 3. I.)

" Honourable Sir, and Gentlemen,

" I beg Leave to represent to your Honourable Board, that I arrived at the Presidency on the
 " 16th February last. Not having yet been put in Possession of the Office of Resident at the
 " Vizier's Court, in which I had the Honour of being re-instated, agreeable to the Orders of the
 " Court of Directors, dated the 4th of July 1777, and the 23d December 1778, I think it my
 " Duty to address your Honourable Board, with an humble Request to carry the abovesaid Orders
 " into Execution. I make this Application, in consequence of my Solicitations to the different
 " Members of the Board, to move for my Re-instatement, having been repeatedly refused by every
 " Member individually, and it being now incumbent on me to make a public Claim of my
 " Right.

" In Justification of my Conduct, in not having immediately on my Arrival requested to be
 " forthwith put in Possession, I humbly represent that I understood my Re-instatement ought to have
 " been moved by a Member of the Board ; under other Circumstances my Conduct might be deemed
 " premature ; but situated as I am, after Three Months Solicitation in vain, I hope our Honourable
 " Superiors will do me the Justice to consider the Delay in my Application, a Point of Delicacy to
 " your Honourable Board, and no Want of Attachment to them or Zeal for their Service. I have
 " never given my Consent to being held out of my Office, and I mean by this Address to efface any
 " bad Impressions that might be entertained of me, in thus long suspending a Claim grounded upon
 " the highest Authorities.

" I also beg Leave to represent I was removed from my Office the Second of December 1776,
 " after having for Two Years successively received the unanimous Approbation of your Honourable
 " Board. Our Honourable Superiors have since likewise been pleased to favour me with Marks of
 " their Approbation. Notwithstanding which I am treated with Neglect by your Honourable Board,
 " and the Members individually have positively refused to do me the Justice I have every Right to
 " claim. In order to discharge my Duty to our Honourable Superiors, I humbly solicit that it may
 " be recorded upon your Proceedings, I have neither directly nor indirectly consented to my Right
 " having been thus long withheld from me.

" In Justice to Sir Eyre Coote, I take the Liberty of mentioning, that I have the Honour of a
 " Letter from him, under Date the 3d of last Month, in which he declares his Determination of sup-
 " porting the Orders of the Court of Directors in my Favour.

Fort William,
 1st May, 1780.

I have the Honour, &c.
 (Signed) John Bristow.

In the Proceedings of the Governor General and Council of Bengal, in their Public Department, the 2d of October 1780 (Appendix, N° 3, K) it is recorded as follows :

“ Mr. Francis moves, That the 11th, 12th, and 13th Paragraphs of the Company's General Letter of the 18th July 1777, and the 149th Paragraph of the General Letter of the 23d December 1778, be now read.

“ Read the abovementioned Paragraphs of the Company's General Letters of the 18th July 1777, and 23d December 1778.

“ Mr. Francis moves, That in Obedience to the Company's Orders, Mr. Bristow be forthwith appointed, and directed to return, to his Station of Resident at Oude; and that Mr. Purling be ordered to deliver over Charge of the Office to Mr. Bristow immediately on his Arrival, and return himself forthwith to the Presidency.

“ Also, that the Governor General be requested to furnish Mr. Bristow with the usual Letter of Credence to the Nabob Vizier.”

And after Debate, the Council deferred the further Consideration of Mr. Francis's Motion until To-morrow Morning.

Accordingly the Governor General and Council, in their Public Department, on the 3d October 1780, (Appendix, N° 3. (L) renew the Consideration of Mr. Francis's Minute recorded on Yesterday's Proceedings, and a Minute delivered in by Sir Eyre Coote is as follows :

“ After having created the Board the Trouble of a Second Meeting on the Question which formed the Subject of Yesterday's Debate, and for which I trust its Importance, my own Situation at this Juncture, and my being without any previous Knowledge until I arrived in Town in the Morning, that such a Business was likely to come before us, will plead Excuse; it is not my Intention to encroach further on their Time by tedious Argument or Discussion.

“ Whilst I am bound in Honour by my Opinion, recorded on the Proceedings of this Board on a former Occasion, to support all Orders received from the Court of Directors subsequent to my Arrival in this Country; I nevertheless hold it a Duty equally incumbent upon me as a Member of this Administration, appointed under the Authority of an Act of Parliament, and to which Tribunal of the British Constitution we are ultimately responsible for the due Execution of the important Trust committed to our Charge, the Care of the Interests of the English Nation in India, to judge how far in following such Orders I am likely to injure that first Object of our Attention.”

Upon which Mr. Francis's Motion was carried in the Affirmative.

Afterwards the Governor General delivered in the following Minute :

“ I cannot, consistently with what I consider due to the Dignity and Authority of my Public Station, and to my own Character and Feelings as a Man, consent to affix my Signature to the Letters of Credence or Instructions of Mr. Bristow as Resident at the Court of Oude. The Court of Directors, after having, in their first Instructions to this Government, expressly enjoined every Member of the Board, not only to be guided by the Voice of the Majority, but also to subscribe to all Letters, Orders, Acts, and Measures, resulting from the Decisions of such Majority, have since thought proper to compliment General Clavering and Mr. Francis upon their Departure from this Rule in Instances where their Sentiments have not accorded with those of the other Members of the Board. This will be a Justification to me in the Resolution I have taken; for whatever Law is binding on One Member of the Administration, must certainly be so to the Whole; and although it is a Latitude I neither approve, or should in general wish to avail myself of, yet in this very particular Instance I trust I shall stand acquitted not only to my Employers, but to the whole World: I must therefore desire that the Board will devise some other Means of notifying Mr. Bristow's Appointment to the Vizier. And as they have thought it incumbent on them, as a Point of official Duty, to receive and put in force an antiquated Order of the Court of Directors in Favour of Mr. Bristow, which, for the Reasons assigned in my Minute of Yesterday, will necessarily be considered by all the Country Powers as a Supercession of my Authority, I am yet willing to hope that the Board will not only listen to, but afford me their Support in a Motion which I shall beg Leave to make, with a View to repair the Injury which I conceive my Public Station has sustained, and avert in some Degree the prejudicial Effects which this Measure cannot fail to produce in our Affairs.

“ I propose that Mr. Bristow's Appointment be limited solely to the Conduct of such Political Negotiations, Correspondence, and Transactions, as this Government may now, or at any future Period, be engaged in with the Vizier, and in no Shape whatever to interfere in any Matters respecting our pecuniary Engagements with his Excellency; that a separate Agent be appointed by us to that Trust, whose Duty it shall be to receive, collect, and manage the Tunkahs or Assignments which have been, or may hereafter be granted by the Nabob for the Liquidation of the Claims of this Government upon him; that he be entrusted with the Adjustment of all Accounts relative to these Claims with the Nabob and his Ministers, with all Disbursements to the Paymasters of the Company's Troops stationed in the Dominions of the Vizier, as also to his Excellency's own Military Establishment under British Officers, &c. remitting the Residue of his Collections immediately to us; and that he be directly amenable to our Authority and Orders, and in no Respect whatever dependent on or connected with the Office of the Resident: And as Mr. Purling cannot continue with a diminished Commission, and as it now becomes more than ever necessary that I should have a Person in Station in those Provinces not only in whom I can confide, but who is publicly known to be attached to me, I propose Mr. Middleton for the above Office; hoping to meet with the Concurrence and Support of the Board.”

Which

Which Proposition producing a Debate, Sir Eyre Coote said, "I agree to the Governor General's Proposal of the Appointment of Mr. Middleton to the Office mentioned; not because Mr. Purling may not continue at Lucknow with a diminished Commission, but because Mr. Nathaniel Middleton is a Person publicly known to be attached to the Governor General; the Necessity of the Times requires an Appearance of that Kind."

Mr. Wheeler objected to the Question; and

Mr. Francis said, "The Office described in the Motion is the same which Mr. Bristow held before, and which has been held since by Mr. Middleton and Mr. Purling. I know no Reason why it should be diminished, and so materially altered when it is given to Mr. Bristow; I therefore cannot consent to the Proposition; at the same Time it is a Matter of Indifference to me by whom the Duties proposed to be vested in Mr. Middleton are exercised."

Whereupon the Governor General's Motion was carried in the Affirmative by his Casting Voice; and

It was Resolved accordingly, "That Mr. Bristow's Appointment be limited solely to the Conduct of such Political Negotiations, Correspondence, and Transactions, as this Government may now, or at any other Period be engaged in with the Vizier; and that he in no Shape whatever interfere in any Matters respecting our pecuniary Engagements with his Excellency."

It was also Resolved, "That Mr. Nathaniel Middleton be appointed Agent on the Part of this Government for receiving, collecting, and managing the Tunkahs or Assignments which have been, or may hereafter be, granted by the Nabob for the Liquidation of the Claims of this Government upon him; that he be entrusted with the Adjustment of all Accounts relative to these Claims with the Nabob and his Ministers, with all Disbursements to the Paymasters of the Company's Troops stationed in the Dominions of the Vizier, as also to His Excellency's own Military Establishments under British Officers, &c. remitting the Residue of the Collections immediately to us; and that he be directly answerable to our Authority and Orders, and in no Respect whatever dependent on or connected with the Office of Resident."

Mr. Francis moves, "That as the Governor General declines signing the Letter of Credence for Mr. Bristow, Mr. Bristow's Appointment may be communicated to Mr. Purling by the Board, with Directions to make it known to the Vizier;" which was agreed to, and it was ordered, "That Mr. Charles Purling be directed to deliver over Charge of all the Papers of the Office hitherto held by him, which have a Relation to the Office to which Mr. Bristow has been appointed, to Mr. Bristow; and that he be directed to deliver over Charge to Mr. Nathaniel Middleton of all the Papers and Accounts of the Office hitherto held by him, which have Relation to the Office to which Mr. Middleton is appointed, together with the Balance of Cash in his Hands."

The Governor General and Council, in their Secret Letter from Bengal to the Court of Directors, of the 13th of October 1780 (Appendix N° 3. (P) say, "That a Motion having been made at one of our late Meetings for the Re-appointment of Mr. Bristow to the Office of Resident at the Vizier's Court, agreeable to your Orders of the 4th July 1777, and 23d December 1778; and this Question having occasioned some Debate, we beg Leave to refer you to the Proceedings noted in the Margin for every Information we can give you on the Subject of it: Mr. Bristow is appointed Resident at His Excellency's Court for the Purpose of managing and conducting such Political Negotiations, Correspondence, and Transactions, as this Government may now or at any future Period be engaged in with the Vizier; and Mr. Nathaniel Middleton is appointed to be Agent on the Part of this Government for receiving, collecting, and managing the Tunkahs or Assignments which have been, or may hereafter be granted by the Nabob of Oude for the Liquidation of our Claims upon him; he is entrusted also with the Adjustment of all Accounts relative to these Claims with the Nabob and his Ministers, with all Disbursements to the Paymasters of the Company's Troops stationed in the Dominions of the Vizier, as also to His Excellency's own Military Establishment under British Officers, and directly amenable to our Authority and Orders."

Conf. 2d and
3d October.

And in their General Letter of the 29th of November 1780 (Appendix N° 3. (Q) Par. 48, they say, "The Advices transmitted to you by the Trial Packet will have informed you of a Motion made on the 2d October by Mr. Francis, That Mr. John Bristow be appointed and directed to return to his Station of Resident at Oude; of the Debates which followed the Motion; of the Appointment of Mr. Bristow accordingly; and of the Nomination of Mr. Nathaniel Middleton to be Collector of the Nabob Vizier's Assignments to the Honourable Company: We will not here repeat the Subject, but refer you for a further Explanation of it to our Letter by the Trial abovementioned, and to our Proceedings of the 2d and 3d ultimo."

The Court of Directors, in their General Letter to the Governor General and Council of Bengal, of the 11th of April 1781 (Appendix N° 3. (Q) Par. 15, say, "We trust Mr. Bristow, who concluded the Treaty with Aluf ul Dowlah in June 1775, would arrive in Bengal soon after the Date of your last Consultations; and as in consequence of our Orders he would also proceed immediately to the Vizier's Court, we entertain the most favourable Expectations of his being able to conciliate the Mind of the Vizier, and to assist him effectually in arranging and restoring his Finances to a more flourishing Condition."

And in order to give the House the fullest Information possible, Your Committee have thought it necessary to subjoin a compleat Copy of the Proceedings respecting Mr. Bristow, in the Appendix, N° 3.

Your

Your Committee then proceeded to examine into the Disobedience of Orders by the Governor General and Council, in the Case of Mr. Francis Fowke; and Your Committee find,

That on the 16th August 1775 (Appendix N° 4. (A) Mr. Francis Fowke was appointed by the Council General to proceed to Benares for the Purposes already resolved on; and it was ordered, That Instructions be prepared for him accordingly, with a Letter of Credence to Rajah Cheyt Sing.

Your Committee find, That on the 2d December 1776 (Appendix, N° 4. (C) the Governor General moved, That Mr. Francis Fowke be recalled from Benares, and his Commission annulled, the express Purposes thereof having been accomplished.

Resolved, That the Motion proposed by the Governor General be carried in the Affirmative.

Your Committee find, That General Clavering, in an Extract of a Letter to the Court of Directors, of the 5th December 1776 (Appendix N° 4. (D) thought it necessary to give an Explanation of his Conduct concerning his Opinion of the Removal of Mr. Bristow from the Post of Resident with the Vizier, and the Recall of Mr. Francis Fowke from Benares.

Your Committee find the following Extract of the Secret Letter from Bengal, 22d December 1776 (Appendix N° 4. (E)

“ Par. 6. The Purposes for which Mr. Francis Fowke was appointed to proceed to Rajah Cheyt Sing at Benares, being now fully accomplished, we have annulled his Commission, and ordered him to return to the Presidency.”

And your Committee observe, That on the Day after the Date of this Dispatch to the Court of Directors, the Council General, on a Motion made by the Governor General (Appendix N° 4. (F)

“ Resolved, That a Civil Servant of the Company be appointed to reside at Benares on the Part of this Government, for the Purpose of transacting any occasional Business which may arise between this Government and the Rajah of Benares.”

“ Agreed, That Mr. Thomas Graham be nominated to this Office, and that Mr. Daniel Barwell be appointed his Assistant.”

And this Resolution was communicated in a Letter to the Court of Directors, dated the 6th January 1777 (Appendix N° 4. (G.)

“ Par. 11. We have thought it proper to appoint a Company's Servant to reside at Benares, for the Purpose of transacting any occasional Business that may arise between this Government and Rajah Cheyt Sing. This Appointment has been given to Mr. Thomas Graham; and Mr. D. O. Barwell has been nominated his Assistant.”

Your Committee find, That on the 30th January 1778, the Court of Directors thus expressed their Sentiments and Orders to the Council General, concerning the Recall of Mr. Fowke (Appendix N° 4. (H.)

“ Par. 65. In your Secret Letter of the 19th of December 1776, you inform us, that the Purposes for which Mr. Francis Fowke was appointed to proceed to Benares being fully accomplished, you had annulled his Commission, and ordered him to the Presidency; but it appears, by your Letter of the 6th January 1777, that in less than Twenty Days you thought proper to appoint Mr. Thomas Graham to reside at Benares, and Mr. Daniel Octavus Barwell to be his Assistant.”

“ Par. 66. If it were possible to suppose that a Saving to the Company had been your Motive for annulling Mr. Fowke's Commission, we should have approved your Proceedings; but when we find Two Persons appointed immediately afterwards, with Two Salaries, to execute an Office which had been filled with Reputation by Mr. Fowke alone, and that Mr. Graham enjoys all the Emoluments annexed to the Office of Mr. Fowke, we must be of Opinion that Mr. Fowke was removed without just Cause, to make room for Mr. Graham; and that the Addition of Mr. Barwell's Salary is a clear Loss of Three hundred Rupees per Month to the Company.”

“ Par. 67. As it was not pretended that Mr. Fowke's Conduct had been exceptionable; as he had executed, with the greatest Punctuality and Exactness, the like Office to which you have now appointed Mr. Graham; and as the Dissent of Mr. Francis and the Protest of General Clavering on the Occasion had no Effect, we think it proper to interfere; and therefore direct that Mr. Francis Fowke be immediately re-instated in his Office of Resident and Post-master at Benares. We, however, think proper to declare, That though we mean by this Order to do an Act of public Justice, we by no Means intend it as a Mark of Disapprobation of the Conduct of Mr. Graham, whom we believe to be a very deserving Servant of the Company.”

Your Committee find, That on the 20th July, the Sentiments and Orders of the Court of Directors were taken into Consideration by the Council General (Appendix N° 4. (I) And that the House may be enabled to form a Judgment of the Sentiments of the several Members concerning the Obedience due to the Orders of the Court of Directors, Your Committee have entered at large the several Opinions of the Members of the Council General upon this Subject.

“ Governor General—I must request that the Board will suspend the Execution of this Order—
“ The Spirit and Intention of it is evident, and publicly known both in England and here. With
“ these Considerations in View, my Consent to the Recall of Mr. Graham would be adequate to my
“ own Resignation of the Service, because it would inflict such a Wound in my Authority and
“ Influence,

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" Influence, that I could not maintain it. In the Course of a few Days we may expect to hear of
 " the Resolutions which have been taken by our Superiors, and of the Appointments which have
 " been made to fill the Vacancy occasioned in this Government by the Death of the late Sir John
 " Clavering: These will be likewise decisive of my own Situation in the Service. I need not say
 " more to urge the Propriety of suspending the Execution of this Order of the Court of Directors.
 " Mr. Thompson, in his Letter from Marseilles, dated the 18th of April, mentions that a Packet,
 " containing the News of the General's Death, had been dispatched to London from that Port,
 " from His Majesty's Agent there, Seven Days before, and it is probable that the Swallow car-
 " ried this Intelligence earlier; we may therefore expect that the Caranja, which was to depart
 " from Suez immediately on Receipt of the Confirmation of the War, will bring us those decisive
 " Orders which I look for; and these may arrive To-morrow, or in the Course of a very few
 " Days."

" Mr. Francis—The Court of Directors order Mr. Francis Fowke to be immediately re-instated
 " in his Office.

" To suspend the Execution of such an Order, is to disobey it. In another Part of the same
 " Letter (Par. 41) they say, " We can on no Account permit our Orders to be disobeyed, and our
 " Authority disregarded." When the Company's Orders to me are clear and positive, I do not deem
 " myself at Liberty to withhold my Obedience to them on any Consideration whatever; unless a
 " new Situation of Affairs, unknown to and unforeseen by the Court of Directors, should make it
 " impracticable or dangerous to carry them into Execution: I am therefore against the Motion."

" Mr. Wheler—I am of Opinion that the Order should be immediately carried into Execution."

" Mr. Barwell—While Mr. Hastings is in the Government, the Respect and Dignity of his
 " Station should be supported; in these Sentiments I must decline an Acquiescence in any Order
 " which has a Tendency to bring the Government into Disrepute. As the Company have the Means
 " and the Power of forming their own Administration in India, they may at their Pleasure place
 " whom they please at the Head; but, in my Opinion, they are not authorized to treat a Person in
 " that Post with Indignity."

" Resolved, That the Execution of this Order be suspended."

" Mr. Francis—I beg Leave to enter my Dissent to this Resolution."

Your Committee find, The following Application from Mr. Francis Fowke to the Secretary of
 the Council, (Appendix, N° 4 J) and his Reply to that Application, (Appendix, N° 4. (K.)

" Sir,

" Calcutta 21st July 1778.

" My Friends in England having transmitted to me a Notification in Form, which they have
 " received, importing, that an Order of the Honourable the Court of Directors, for my instant Re-
 " appointment to the Post of Resident at Benares, was transmitted by the Governor; and a conside-
 " rable Time being now elapsed since the Receipt of the Packet; I humbly request of the Honourable
 " Board, that I may be informed of any Resolutions which may have passed in consequence of the
 " above Order, and that I may be furnished with a Copy of their Proceedings upon the Subject."

" To Mr. Francis Fowke.

" Sir,

" In consequence of your Address to the Honourable the Governor General and Council, request-
 " ing to be informed of any Resolutions which may have passed on the Orders of the Court of
 " Directors respecting you, and to be furnished with a Copy of the Proceedings upon the Subject,
 " I am directed to transmit you the inclosed Extract of the Consultation 20th Instant.

" Council Chamber,

" the 29th July 1778."

And Your Committee find the following Proceedings in the Consultation of 20th July 1778.

" Read the General Letter, dated the 30th January last, received from the Honourable the
 " Court of Directors by the Grosvenor and Osterly.

" Par. 64, 65, 66, and 67. Resolved, That the Execution of this Order be suspended."

Your Committee also find a Letter to the Governor General and Council from Mr. Francis Fowke,
 humbly setting forth to them, the Injury he suffers by their Non-execution of the Company's
 Orders; and which Letter is inserted in the Appendix (N° 4. (L.)

Your Committee also find the Governor General and Council state the Suspension of their Or-
 ders in the following Extract of their Letter of the 17th August 1778, to the Court of Directors
 (Appendix, N° 4. (M.)

" Par. 25. We have resolved to suspend the Execution of that Part of your Commands, dated
 " 30th January last, which relate to Mr. Francis Fowke; and must beg Leave to refer you to
 " our Records for the Motives which swayed with us in this Instance."

Your Committee find, That on the 1st April 1779, (Appendix, N° 4. (O) Mr. Francis
 moved, That the 65th, 66th, and 67th Par. of the Company's General Letter of the 30th January
 1778, and the Proceedings of the Board of the 20th July 1778, be then read.

SEL. COM. REP. V.

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After

After various Opinions given by the several Members, Your Committee find, that the Board
 “ Resolved, That the Decision of the Question proposed by Mr. Francis, be suspended until the
 “ next Meeting of the Board in this Department.”

Your Committee also find, That on the 5th April 1779, the Board resumed the Consideration
 of Mr. Francis's Motion. The several Opinions of the Members will be found in the Appendix,
 N° 4. (P.) A Negative was put on Mr. Francis's Motion; and on the 22d of April, the Governor
 General and Council thus write to the Court of Directors, (Appendix, N° 4. (Q))

“ Par. 12. A Motion was made at one of our Meetings, That the Orders contained in the
 “ 65th, 66th, and 67th Paragraphs of your General Letter of the 30th January 1778, should be
 “ carried into Execution: The Question was resolved in the Negative; and we beg Leave to
 “ refer you to our Proceedings on this Subject for your more particular Information.”

Your Committee find, That on the 27th May 1779, the Court of Directors write to the Go-
 vernor General and Council, (Appendix, N° 4. (R))

“ Par. 4. In Answer to the 25th Paragraph of your Letter of the 17th August last, respecting
 “ the Appointment we assigned to Mr. Francis Fowke, we only remark, that as the Consultations
 “ are not yet before us, we must defer our Decision on the Subject, and hope the Reasons which
 “ swayed you so far as to induce you to suspend the Execution of a positive and peremptory Or-
 “ der of the Court of Directors, will be found sufficient to justify your Conduct on that extraor-
 “ dinary Occasion.”

And Your Committee observe, That on the 27th May 1779, the Court of Directors thus express
 their Sentiments and Orders, (Appendix, N° 4. (S)).

“ Par. 40. We have read with Astonishment your formal Resolution to suspend the Execution
 “ of our Orders relative to Mr. Francis Fowke; your Proceedings at large are now before us.
 “ We shall take such Measures as appear necessary for preserving the Authority of the Court of
 “ Directors, and for preventing such Instances of direct and wilful Disobedience in our Servants
 “ in Time to come. At present we repeat the Commands contained in the 67th Paragraph of
 “ our Letter of the 30th January 1778, and direct, that they be carried into immediate Exe-
 “ cution.”

Your Committee find, That on the 27th February 1780, (Appendix, N° 4. (T)) the Governor
 General and Council, having perused the Company's Orders of the 27th May 1779,

“ Agreed, That Mr. Francis Fowke be appointed Resident at Benares, in Conformity to the
 “ Intention of the Court of Directors; and that Mr. Thomas Graham be directed to deliver over
 “ the Charge of that Office to him on his Arrival there.”

And on the 3d March 1780, Your Committee find the following Paragraph from the Council
 General to the Court of Directors, (Appendix, N° 4. (U)).

“ Par. 46. We have the Honour to acquaint you, That in Conformity to your last Commands
 “ of the 27th May 1779, Mr. Francis Fowke has been appointed Resident at Benares, and Mr.
 “ Thomas Graham recalled from the Station.”

Your Committee also find, That on the 14th January 1781, the following Minute is entered on
 Consultation by the Governor General, (Appendix, N° 4. (V)).

“ Governor General—While this Government is charged with such extensive Concerns, and
 “ hath to contend with Difficulties equal perhaps with those in which even the Supreme Admini-
 “ stration of the British Empire is at this Moment involved, it may at least claim as a Right,
 “ which, under any other System of Government that hath ever yet existed, would be conferred
 “ on it as an indispensable Obligation, to employ and exercise the Powers which are inherent in its
 “ Constitution, and which are immediately necessary to the Support, and eventually to the Ex-
 “ istence, of those essential Interests which it holds in Charge. On this Principle, I claim the
 “ Right of nominating the Agent of my own Choice to the Residency of Benares. It is a re-
 “ presentative Station, and cannot, without a Contradiction, be the Charge of a Man not pre-
 “ ferably chosen to it by the Members of the actual Government, and holding it by an Authority
 “ independent of theirs. Speaking for myself alone, it may be sufficient to affirm that Mr.
 “ Francis Fowke is not my Agent; that I cannot give him my Confidence; that while he con-
 “ tinues at Benares, he stands as a Screen between the Rajah and this Government, instead of an
 “ Instrument of Controul; and that the Rajah himself, and every Chief in Indostan, will regard it
 “ as the Pledge and Foundation of his Independence.

“ To Mr. Fowke himself I have no personal Objection; I approve his Conduct, and esteem his
 “ Character; and I believe I might depend upon his exact and literal Obedience and Fidelity in the
 “ Execution of the Functions annexed to it. My Objection is stated above, and it is insuperable.

“ The Person whom I have chosen to succeed him, I consider as standing in the same Degree of
 “ Confidence and Estimation with Mr. Wheler as myself. I adopted him (if I may so express my-
 “ self) from his Family and Patronage, and assigned him an Office of the highest Trust near my
 “ own Person, with Mr. Wheler's Approbation; and from a Foresight of the Event which has since
 “ made us the Copartners of this Government, and which suggested to me the Propriety of employing
 “ such Agents as would be agreeable to him, while they possessed the other Requisites for my own
 “ Confidence.

“ I therefore think him, on every Consideration, the fittest to fill the Office in question. I there-
 “ fore move, that Mr. Francis Fowke be immediately removed from the Residency of Benares; and
 “ that Mr. Markham may be appointed to it in his stead.

“ While

“ While I thus acquit myself of what I conceive to be a Public Duty, it is my Delire at the same Time to indemnify Mr. Fowke from the Consequences personally attending it towards him. I therefore move, That he be at the same Time invested with the Appointment of Agent for all Boats to be employed for the Military Service of this Establishment, with an Allowance of a Commission of 15 per Cent. upon all his Disbursements in this Office; that the executive Charge thereof take Place from the Period of the Expiration of Colonel Morgan’s present Contract; and that till that Time, and for Three Months following it, he be allowed to draw his present Allowance of 1000 Rupees per Month.

“ I propose this Method in Preference to a Contract, because I am convinced from Experience that the Service will be better performed by this Alteration, although it is liable to One material Objection in its natural Influence in his Expences. This is a Defect which can only be corrected by the Probity of the Person who is intrusted with so important a Charge; and I am willing to have it understood as a Proof of the Confidence which I repose in Mr. Fowke, that I have proposed his Appointment, in Opposition to a general Principle, to a Trust so constituted.”

And Your Committee find the following Extract of a Letter from the Council General to the Court of Directors, dated 3d February 1781, (Appendix, N^o 4 (W.))

“ Mr. Francis Fowke recalled from Benares, and appointed Agent for the Provision of Boats to the Army, after the Expiration of the present Contract. Mr. Markham appointed Resident at Benares.”

Your Committee then examined Sir William James, Bart. a Member of Your Committee, who was Chairman of the East India Company in the Year 1779, upon the same Subject; who being asked, Whether he was Chairman of the East India Company from April 1779 to April 1780? he said, He was—And being asked, Whether he concurred in a Letter to the Governor General and Council of Bengal, of the 14th of May 1779, in which is contained the following Paragraph: “ N^o 4. In Answer to the 25th Paragraph of your Letter of the 17th of August last, respecting the Appointment we assigned to Mr. Francis Fowke, we only remark, that as the Consultations are not yet before us; we must defer our Decision on the Subject, and hope the Reasons which swayed you, so far as to induce you to suspend the Execution of a positive and peremptory Order of the Court of Directors, will be found sufficient to justify your Conduct on that extraordinary Occasion?” he said, Yes—And being also asked, Whether he did likewise concur in a Letter to the Governor General and Council of Bengal, of the 27th of May 1779, in which is contained the following Paragraph, “ N^o 40. We have read with Astonishment your formal Resolution to suspend the Execution of our Orders relative to Mr. Francis Fowke; your Proceedings at large are now before us; we shall take such Measures as appear necessary for preserving the Authority of the Court of Directors, and for preventing such Instances of direct and wilful Disobedience in our Servants in Time to come; at present we repeat the Commands contained in the 67th Paragraph of our Letter of the 30th of January 1778, and direct that they be carried into immediate Execution?” he said, On account of a very ill State of Health he was not present at the Writing of that Letter—Being asked, Whether he did not conceive that the Court of Directors at that Period entertained Sentiments of very high Displeasure against the Members of their Council General alluded to in the above Paragraphs? he said, Yes, he conceives they did, on account of Disobedience of Orders—Being asked, Whether it did not appear that such repeated Acts of Disobedience rendered nugatory the Authority of the Court of Directors? he said, No, he certainly did not think so; because, from a Repetition of the Orders, he had no Doubt but they would have conformed and acted in Obedience to them—Being asked, Whether he concurred in the Sentiments which he mentioned to have prevailed in the Court of Directors, on the Subject of Disobedience to their Orders? he said, He did, and felt very great Displeasure himself at their not being complied with, respecting Mr. Fowke—Being asked, Whether the Repetition of Orders has answered his Hopes and Expectations? he said, In Consequence of a Repetition of Orders, he understands Mr. Fowke was appointed to the Office directed by the Court of Directors—Being asked, Whether it appears by the latest Advices from India, that Mr. Fowke is still in that Office? he said, No, he is not—He was then asked, Whether Mr. Fowke has been removed by his own Consent, or promoted to a higher Employment? he said, Not as he knows of—Being asked, Whether Mr. Hastings has informed the Court of Directors, or any of them, that Mr. Fowke is removed from the Office to which they had appointed him? he said, He thinks he has; at least he is certain that it is come to their Knowledge that he is removed—Being asked, Whether that Removal is not a new Act of Disobedience to the Orders of the Directors? he said, Undoubtedly it is departing from their Orders—Being asked, What Measures the Court of Directors have taken since May 1779, to preserve their Authority, and to prevent such Instances of direct and wilful Disobedience in their Servants for the Time to come? he said, He has observed before, that he had no Doubt but from a Repetition of their Orders, that their Servants would act in Obedience to them: The Court of Directors have since written in strong and positive Terms upon many Points, to enforce Obedience to their Orders—Being asked, Whether it was from any Experience of the habitual Obedience of the Company’s Servants in Bengal, that he took it for granted that a Repetition of the Orders would be fully complied with? he said, He cannot say it was; but he had no Idea that Men could continue to persevere in Disobedience of Orders when they had been so severely reprehended for it—Being asked, Whether he had not Reason to know, that other Orders of the Company, equally positive, had been disobeyed? he said, No, he thinks in none so strong as in the Instance of Mr. Fowke—Being asked, Whether he has, in any of the Minutes of Consultation of the Governor General and

and Council, observed, that the Principle of Disobedience has been avowed and justified? he said, So far as suspending the carrying into immediate Execution the Orders of the Company, he has.

Then the Minute of Mr. Barwell recorded in Consultation of the 1st of April 1779 was read; and Sir William James was then asked, Whether that Minute, avowing a Principle of Disobedience to the Orders of the Company by the Members of the Council whenever they thought the Dignity of the Governor General affected by those Proceedings, did not call for some Proceedings upon the Subject by the Directors, to vindicate their own Authority? he said, He thinks it was a Measure highly to be disapproved of—Being asked, Whether any Proceedings were had upon that Subject by the Court of Directors? he said, He does not precisely recollect what was done particularly upon that Subject, but will refer to the Letters that were written in consequence—Being asked, Whether there were not other Acts of Disobedience in Bengal justified upon a similar Principle? he said, He believes there were—Being asked, Whether he does not understand, that by the Regulating Act of 1773, the Governor General and Council of Bengal are directed to obey the Orders which they were to receive from the Court of Directors? he said, Certainly—Being asked, Whether it has not been usual before that Act passed, for the Company's Servants openly to avow a Principle of Disobedience to the Company's Orders, and to record it on their Consultations? he said, He believes not—Being asked, Whether he can assign any other Reason why the Court of Directors did not proceed according to their Letter of the 27th of May, except what he has expressed in his former Answer? he said, He cannot—Being asked, Whether Year after Year repeated Censures have not been sent out by the Court of Directors against certain Acts of the Bengal Government? he said, He believes many—Being asked, Whether the Court of Directors did not find that those Censures tended to lessen the Principle and Practice of Disobedience in their Servants? he said, He does not think that they did—Being asked, If the British Subjects and Natives of Bengal find the Orders of the Court of Directors disobeyed, to what Authority does he think they would look up? he said, He cannot answer that Question, because he cannot conceive that they would consider the Orders of the Court of Directors of no Effect—Being asked, Whether the 40th Paragraph of the General Letter to Bengal of the 27th of May 1779, before set forth, was written without his Knowledge and Approbation? he said, He was so ill at that Time, that he could not attend the India House; nor is he certain whether that Letter was brought to him for Approbation; if it had, he certainly should have concurred.

And that the House may be better enabled to form a Judgment upon this Matter, Your Committee have thought it necessary to subjoin a compleat Copy of the Proceedings respecting Mr. Fowke in the Appendix, N^o 4.

The Minute of Mr. Barwell of 20th July 1778, respecting the Re-instatement of Mr. Fowke, contained Sentiments so repugnant to the Obedience due to that Power which by Law he was bound to obey, that Your Committee cannot avoid pointing it out to the Attention of the House, more particularly as in the Course of their Investigation they have found Opinions recorded by Mr. Barwell of a very opposite Nature, and which they now also submit to the House.

It appears by the Consultations of the 27th June 1770, that upon some Difference in Opinion betwixt the President and Members of the Select Committee and of the Council of Bengal, which of those Boards was authorized to carry certain Instructions of the Court of Directors into Execution, that Mr. Barwell, then a Member of the Council of Fort William, proposed the following Question:

How far is every Member of the Board responsible for Orders transmitted by the Court of Directors to the Governor and Council? or, in what Degree reprehensible for acquiescing in an Authority assumed by the Select Committee to debate upon the Propriety of enforcing, or not enforcing, the said Orders?

Mr. Barwell's Opinion is, that Orders from Masters to Servants, imply an Expectation of Obedience. That Servants will be deemed blameworthy, should Complaisance to Fellow-Servants induce them to refer the Execution of the Company's Orders to Persons not intrusted therewith by the Company.

Mr. Barwell's Minute of the 20th July 1778, upon the Governor General's Motion to suspend the Orders of the Court of Directors relative to Mr. Fowkes's Appointment to Benares.

While Mr. Hastings is in the Government, the Respect and Dignity of his Station should be supported; in these Sentiments I must decline an Acquiescence in any Order which has a Tendency to bring the Government into Disrepute. As the Company have the Means and the Power of forming their own Administration in India, they may at their Pleasure place whom they please at the Head; but, in my Opinion, they are not authorized to treat a Person in that Post with Indignity.

In the same Consultation, Mr. Barwell proposed a Third Question, Whether the Board ought to act conformably to what appears to be the Intention of the Company, which Intention, he observes, is too strongly pointed out for the Board to mistake it?

Mr.

Mr. Barwell is of Opinion, that it is the Duty of the Board to fulfil the Company's Expectations, and not to object against the Mode by which they are expressed.

Your Committee find, That the Court of Directors thought the Reasoning of Mr. Barwell, in the Year 1770, upon the Subject of the Obedience due to their Orders, to be so just, that they manifested the severest Marks of their Resentment against their President of Fort William, John Cartier, Esquire, by removing him from his Government, because he had suspended the Execution of their Orders until the Arrival of expected Advices from England; they also dismissed Richard Becher, Esquire, one of the Members of their Select Committee; and degraded Claud Russell, and Charles Floyer, Esquires, Two other Members of the said Committee, for the same Offence, by sending them to Fort Saint George.

Your Committee then examined Sir William James, Baronet, a Member of Your Committee, concerning the Dismissal of Servants of the Company for Disobedience of Orders, previous to the Regulating Act of 1773; who being asked, Whether he was in the Direction before the Regulating Act of 1773? said, He was—And being asked, Whether at that Time Acts of Disobedience to the Orders of the Court of Directors were followed by any Marks of their Resentment? he said, He believes the Directors conducted themselves in such a Manner, as to prove their Authority in the good Government of their Servants Abroad—Being asked, Whether Mr. Cartier, the Predecessor of Mr. Hastings in the Government of Bengal, was not dismissed from his Station for retarding the Execution of the Company's Orders? he said, Yes—Being asked, Whether Mr. Becher, one of the Members of the Council, was not dismissed at the same Time, and for the same Cause? he said, He thinks he was—Being asked, Whether Messrs. Russell and Floyer were not removed from their Seats, as Counsellors at Fort William and Members of the Select Committee there, and ordered to a subordinate Rank on the Madras Establishment, for the same Offence? he said, He cannot say positively as to their Rank, but they were ordered from Bengal to Fort Saint George—Being asked, Whether he recollects what were the Orders, the Execution of which were retarded by the above-mentioned Gentlemen? he said, He cannot exactly recollect them—Being asked, Whether Commissioners, appointed by the Company, with extensive Powers, were not at that Time on their Passage to India? he said, They were—Being asked, Whether he conceives that any very material Prejudice would have arisen to the State, by retarding the Execution of those Orders until the Arrival of the expected Commissioners, or until the Orders of the Company should arrive, as they were expected in the Course of Three Months? he said, He believes it was so considered by the Court of Directors—Being asked, Whether there was not then a Dispute between the Select Committee at Bengal and the Council at large, concerning the Powers of the Committee? he said, Yes—Being asked, Whether it was not a Contention between them, by whose Authority the Orders of the Company should be carried into Execution? he said, He believes it was—Being asked, Whether the Court of Directors did consider the Delay in the Execution of their Orders, as a wilful and intentional Disobedience, or how otherwise? he said, They considered it as a Disobedience—Being asked, In what Light did the Court of Directors consider the general Character and Conduct of their Governor, Mr. Cartier? he said, His Opinion of him is contained in a Letter dated the 5th of April 1771 (Appendix, N° 12)—Being asked, Whether that single Act of Disobedience was not the Cause assigned for his Removal, notwithstanding the general Goodness of his Character, and Length of Services? he said, He believes it so appears by the Letter alluded to.

And in order to shew the House that Mr. Cartier was a Servant in high Estimation with the Directors, and that he was dismissed for this single Act of Disobedience, the Committee have inserted the following Orders of the Court of Directors, dated the 25th April 1771, to the President and Council of Fort William:

"We are truly sorry, after having entertained the highest Opinion of the Abilities and good Conduct of our President, Mr. Cartier, that he should in any Shape incur our Displeasure; but we cannot pass over his late Conduct, in joining in a Resolution to retard the Execution of our Orders, which if they had been vigorously enforced would, we cannot doubt, have tended much to the public Welfare, and reflected Honour on every Individual who might have had the Execution of them. We therefore direct that Mr. Cartier do continue in the Government of our Presidency of Fort William till the Departure of the last Ship of the Season for Europe after the Arrival of Mr. Hastings in Bengal, on or before which Time it is our Pleasure that Mr. Cartier do resign that Government to Mr. Hastings."

And that the House may be enabled to form a complete Judgment of the Sentiments of the Directors of the East India Company, upon this Point, Your Committee refer them to the Appendix, N° 12.

Mr. Francis, in his Evidence, having stated to the Committee that Mahomed Reza Cawn was dismissed by the Governor General and Council from his Office of Naib Soubah in February 1778, in which he had been confirmed by the express and particular Orders of the Court of Directors; and that this Act had been strongly disapproved of and condemned by the Court of Directors, who had ordered him to be re-instated in his Office; Your Committee thought it their Duty to examine into the whole Proceedings on this Subject.

They find, that in the 46th Paragraph of the General Letter to Bengal of the 3d March 1775 (Appendix, N° 6. (A) the Court of Directors give the following Orders:

"The Conduct of Nundcomar, in the Part he has taken against Mahomed Reza Cawn, appears to us so very inconsistent and unworthy, that we feel a Repugnance to the Continuance of his Son in the high Office of Roy Royan of the Province. And as the Acquittal of Mahomed Reza Cawn warrants us again to employ him, we direct that, if he can with Propriety accept of that Office under the Regulations and Restrictions established by our President and Council, and with the Salary granted to Rajah Gourdals for executing the same, he be forthwith appointed thereto, and receive a proper Khelaut, and such other Marks of Distinction as are usually conferred on Natives on like Occasions. *We mean not by this Appointment to restore Mahomed Reza Cawn to any improper Degree of Power, but merely to testify our Satisfaction on finding his former Conduct has been so much better than we expected.*"

When these Orders arrived in India, there was a Difference of Opinion among the Council General, in what Point of View they should be considered; and the following is extracted from a Minute signed by Messrs. Clavering, Monson, and Francis, and entered on Consultation of the 18th October 1775 (Appendix, N° 6. (C).)

"It is now the clear unquestionable Determination of the Court of Directors to support an ostensible and active Power in the Country Government. The Nabob himself, from Youth, Inexperience, and the total Neglect of his Education, is incapable of exercising this Power. The executive Authority of the Nazim must be delegated to a Minister; who, acting in his Master's Name, may nevertheless be sensible that he owes his Appointment solely to our Recommendation, and that his Continuance in Office depends upon his Attachment and Gratitude to the Company.

"We are convinced there is no Man in the Provinces in every Respect so well qualified for this important Post, as Mahomed Reza Cawn; and we think the Declarations now made in his Favour by the Court of Directors entitle us to replace him in it.

"We offer it therefore as our Opinion, that the Board should recommend him to the Nabob to be Minister of the Government and Guardian of his Highness's Minority, with Authority to transact the political Affairs of the Sircar. He should be intrusted to superintend the Nabob's Education, to chuse proper Servants and Companions for him, and to endeavour to recover him from the dishonourable State of Ignorance and Dissipation in which we fear he is still immersed. He should be particularly impowered and directed to reduce and regulate the Expences of the Nabob's Household in such a Manner as to enable him to extricate his Highness from his Debts and Incumbrances, without calling upon the Company for an Increase of his present Income."

And on the same Day the Governor General delivered in a Minute as follows:

"I dissent from every Resolution of the Majority, as contradictory to the Orders of the Company, and inconsistent even from those which they are possessed to carry into Execution; and I hereby enter my Protest against them, and all the Consequences which may ensue from them. I have too much to say upon the Subject to be dictated in a verbal Minute at this Board; I will deliver in my Reasons in Writing at another Time. I meant to have contented myself with this short Dissent to the Resolutions already formed, conceiving my Opinion to be unnecessary, and precluded from any possible Effect by those Resolutions; understanding, of course, the Recommendations of the Majority delivered in so formal and decided a Manner as the Resolutions of the Board: But as I perceive that it is expected of me to give an Opinion in the Terms of my own Question, I will comply with the Form required of me in a few Words. It is my Opinion, then, that the Company's Orders require that Rajah Gourdals should be removed from the Appointment which was granted to him under the Sanction of the last Administration, and, a fortiori, from every Addition since made to it; and that Mahomed Reza Cawn be appointed Dewan to the Nabob's Household in his Stead."

And Your Committee find the Council General then came to the following Resolution:

"Resolved, That the Board recommend Mahomed Reza Cawn to the Nabob, to be Minister of the Government and Guardian of his Minority, with the Powers and Authorities as described in the Minute delivered in by General Clavering, Colonel Monson, and Mr. Francis."

And it was Ordered, "That the Secretary acquaint Mahomed Reza Cawn, that the Honourable the Court of Directors have been pleased to approve of the Proceedings of the late Board, on the Investigation of his Conduct, by which he was acquitted of the Accusations laid to his Charge, excepting the Amount due to the Company on Account of the Dacca Revenues, which Sum, however, they have suspended their Claim to, in Consideration of the Inconveniencies which he may have suffered during the Time of his Examination; and wishing that he should remain under no Obligation to them than that of Gratitude, they consent to his total Enlargement: And that he be further acquainted, that the honourable the Governor General and Council have therefore been pleased to recommend him to the Nabob Mobarek O' Dowla, to be Naib Soubah, or Minister, of the Sircar, and Guardian of his Minority, with Authority to transact the Political Affairs of the Sircar, to superintend the Fouzdarry Courts, and the Administration of Criminal Justice throughout the Country, and to enforce the Operation of the same on the present Establishment, or to new model and correct it: And as the Board wish that he shall have full Controul of the Officers of the Criminal Courts in the Character of Naib Soubah, they propose to remove the Nizamut Adawlut, now at Calcutta, to be held in future at Moorshedabad."

Your

Your Committee find on the Secret Consultations of the 30th October 1775 (Appendix, N° 6, (D)) a Copy of a Letter from Mahomed Reza Cawn as follows :

" On the 23d Shabana (19th October) I received a Letter from Mr. Auriol, the Secretary to the Council, to the following Purport (here he quotes the Secretary's Letter, agreeable to the Board's Resolution of the 18th Instant.)

" I beg Leave to represent to you, Gentlemen, that from the Time when I was first honoured with an Employment in the Company's Affairs, I never took any Step but for the Interest of the Company; to promote which I exerted myself with so much Assiduity, in Conjunction with the Company's Administration, that in various Instances I gained great Applause. It therefore afforded me the highest Pleasure to hear that the Company approved of the Decree declaring my Innocence, and that they were satisfied of the Injustice of the Accusations falsely laid to my Charge. And as my being again received into Employment will make known the Approbation, and will tend to raise my Character and Reputation, I shall therefore accept, with the greatest Pleasure, an Appointment, which the Governor General and Council having been so kind as to fix on for me, have recommended to the Nabob, Mobareck ul Dowla, to bestow on me: By the Blessing of God, when it is approved, I shall exert my utmost Abilities in the same Manner as I have ever done in the Execution of the Trust. But I beg of you, Gentlemen, to reflect, that considering of my former Salary, Station, and the important Office to be now entrusted to me, the Salary of 2,40,000 Rupees, which you fixed on, is not sufficient to defray the Expences which by the Usage of the Country I must be at. I had also flattered myself, after the extreme Disgrace which I, a faithful Adherent of the Company, had suffered from the false Accusations brought against me, that when the Company were informed of my Innocence and good Character, they would have given me greater Marks of their Favour than they had even formerly done. As you, Gentlemen, have shewn me so much Regard, and engaged so heartily in my Favour, whatever therefore you determine, considering it as for my Interest and Advantage, I shall agree thereto; but I am hopeful, that when you are thoroughly acquainted with the Distresses I have suffered, you will honour me with the same Powers in the Administration of the Affairs of the Sircar, as I formerly enjoyed; and thereby enable me to manifest my Fidelity and Attachment to the Company."

And Your Committee find the following Proceedings recorded in the Consultation of the same Day :

" Read a Letter from the Nabob Mobarek ul Dowla, approving of the Appointment of Mahomed Reza Cawn, recorded in the Persian Correspondence, and received the 29th Instant.

" Agreed that the following Letter be written to Mr. Martin, Resident at the Durbar :

" Sir,

" The Nabob Mobarek ul Dowla having in a Letter to the Governor General signified his Approbation of the Appointment of Mahomed Reza Cawn to be Naib Soubah, which we had recommended to him, we desire that you will obtain from the Nabob a proper Sunnud for the Investiture of his Office, and transmit it to us, that it may be duly presented to him.

" We are, &c. &c.

" Fort William,
" 30th October 1775.

" Warren Hastings,
" J. Clavering,
" Rich^d Barwell."

And Your Committee further find the following Proceedings recorded in the Secret Consultations of the 9th Day of November 1775, (Appendix, N° 6, (F.))

" The following Letter from the Resident at the Durbar, with its Contents is now communicated to Mahomed Reza Cawn :

" Gentlemen,

" I am favoured with your Letter of the 30th ultimo, and have now the Pleasure of transmitting you the Nabob's Sunnud, confirming the Appointment of Mahomed Reza Cawn to the Superintendancy of the Fougedarry Court of Adawlut. He has however declined giving his Sunnud for the Office of Naib Soubah, as a Thing not customary, and which he informs me was never done by any of his Predecessors; he is nevertheless perfectly satisfied with the Appointment; and if it should be your Pleasure to require such a Grant from him as materially necessary for the Investiture of that Office, I make no Doubt of his ready Compliance.

" I am, with the greatest Respect, &c.

" Moorshedabad,
" 4th November, 1775.

" (Signed)

" W. B. Martin,
" Resident."

And also the following Proceedings in the Secret Consultations of the 6th of December 1775, (Appendix, N° 6, (G.))

" Received

" Received the following Letter from the Resident at the Durbar :

" Gentlemen,

" I have now the Pleasure to acquaint you that Mahomed Reza Cawn, agreeable to his Appointment, has this Day taken Charge of the Nabob's Household, and the Management of his Affairs.

" I remain, &c.

" Moorshedabad,

" 2d December 1775.

" (Signed)

" W. B. Martin,

" Resident."

Your Committee find on the Secret Consultations of the 7th December 1775, (Appendix, N° 6, (H.)) the Governor General entered a very long Dissent against the Appointment of Mahomed Reza Cawn in Reply to the Minute of Messrs. Clavering, Monson, and Francis, of the 18th October preceding; but there is One Part of this Minute which your Committee recommend most particularly to the Consideration of the House. The Governor General states, that
" all the Acts of Policy cannot conceal the Power by which these Provinces are ruled, nor can all the Acts of Sophistry avail to transfer the Responsibility of them to the Nabob, when it is as visible as the Light of the Sun, that they originate from our own Government; that the Nabob is a mere Pageant, without the Shadow of Authority, and even his most consequential Agents receive their Appointment from the Recommendation of the Company, and the express Nomination of their Servants. Even the Orders of the Court of Directors, of the 28th August 1771, which direct the Appointment of an ostensible Minister to the Nabob, and under which the late Arrangements are professedly formed, appear in the printed Proceedings of the House of Commons, and are open to the View of every Nation in Europe."

Your Committee find the following Extract of a Minute of Messrs. Clavering, Monson, and Francis, dated the 21st November 1775, and recorded in the Secret Consultations of the 7th of December 1775, (Appendix, N° 6, (I.))

" The Motives on which we have restored Mahomed Reza Cawn to the Office of Naib Soubah, have been clearly explained. To recover the Country Government from the State of Feebleness and Insignificance to which it was Mr. Hastings's avowed Policy to reduce it, was no easy Task. According to the Governor General's Plan, we should have confined the only Man perhaps of real Abilities and extensive Knowledge in the Country, to the unimportant Office of Steward of the Nabob's Household, at a Time when a Minister of the Government was wanted, and when the Administration of Criminal Justice through the Country was at a Stand. The Measure seems to us indispensably necessary, and promises Success. In recommending Mahomed Reza Cawn to his present Post, we presume to think we have rendered an essential Service to the Company."

And they find in the Thirty-fifth Paragraph of the General Letter of the 24th of December 1776, (Appendix, N° 6, (K.)) from the Directors to Bengal, a Confirmation of Mahomed Reza Cawn's Appointment as follows :

" The easy Prey which the Nabob has been made to his menial Servants, and their utter Want of Ability, Integrity, and Attention, to render him in any Degree respectable, even in the Eyes of the Natives, are Circumstances that had led us to reconsider our Instructions to our late President and Council respecting Mahomed Reza Cawn. We were always of Opinion, that an able ostensible Minister, during the Minority of the Nabob, would be necessary, and late Events have but too strongly confirmed us in such Opinion : And as the Abilities of Mahomed Reza Cawn have been sufficiently manifested, as official Experience qualifies him for so high a Station in a more eminent Degree than any other Native with whom the Company has been connected; and as no Proofs of Mal-administration have been established against him, either during the strict Investigation of his Conduct, or since his Retirement; we cannot, under all Circumstances, but approve your Recommendation of him to the Nabob, to constitute him his Naib : We are well pleased that he has received that Appointment, and authorize you to assure him of our Favour, so long as a firm Attachment to the Interest of the Company, and a proper Discharge of the Duties of his Station, shall render him worthy of our Protection."

In the Bengal Secret Consultations of the 23d July 1778, (Appendix, N° 6, (L.)) Your Committee find, that the Governor General desires that the following Letter from the Nabob Mobarek ul Dowla may be read.

" I have already addressed repeated Letters to your Excellency, stating very fully the Trouble and Uneasiness I suffer from the Nabob Mahomed Reza Cawn's being invested with the Office of the Naibship of the Nizamut, with the Management of the Affairs of the Country, and of the several Offices of my Household, the Administration of the Business of the Adawlut and Phoufdarry within the Soubahs, and of all the Affairs of the Nizamut, as well as of my domestic Concerns, and the Superintendence of myself and Family; because the said Nabob, regarding only his own Benefit, and the Increase of his Greatness in future, pays no Regard or Attention to my Interest or Advantage.

" The Nabob Mahomed Reza Cawn is neither connected with me by the Ties of near Relationship, nor of sincere Attachment; that he should be invested with such a Degree of Power, is highly oppressive and dishonourable to my Family. I am now, by the Favour of God, come to Years of Maturity, and to that Age when, by the Precept of our holy Law, and the Usage of

" Maho-

" Mahomedanism, I ought to take Charge and Management of my own Affairs; and by the Blessing of the Almighty, I am not so devoid of Understanding as to be incapable of conducting them: I am therefore hopeful, from your Favour and Regard to Justice, that you will deliver me from the Authority of the aforesaid Nabob, and give your Permission that I take on myself the Management of the Adawlut and Phousdarry of the Soubahs, as well as of my own Household, and of the Business of the Nizamut, which is my Right:

" The Company who have acquired so great Authority in this Country, and raised themselves to their present Degree of Greatness and Dominion, are indebted to the Advantages solely to the warm Support of my Ancestors; and you know what Degree of Authority I am at present possessed of. I therefore ask nothing more than my Right; and should the Company, disregarding the Situation and Rights of this Family, refuse their Approbation to my Request, which is perfectly just and right, it will be highly inequitable.

" I am hopeful that, maturely weighing this Matter, your Excellency will give me the Management of the Affairs of the Nizamut, of my own Household, and the Offices attached thereto, together with the Administration of the Adawlut and Phousdarry within the Soubahs, which are my Right. This will be an Act of the highest Justice in the Gentlemen, and will engage my Gratitude, and that of all the helpless Dependents of this Family."

And your Committee find, that upon this Letter being read, the Governor General, notwithstanding the Appointment had received the Sanction of the Court of Directors, entered the following Minute:

" I move that the Opinions of the Members of the Board may be taken, Whether the Requisitions contained in the above Letter shall be complied with, or denied? It is late, nor would the Board to form any decided Resolution upon a Subject of this Nature, without the fullest Deliberation; I desire, therefore, that the Secretary may send the Letter and Question round to the different Members of the Board, that their Opinions may be taken at the next Meeting of Council."

And it was ordered, " That the Letter from the Nabob Mobareck ul Dowla be accordingly circulated with the above Question to the Members of the Board, for their Opinions thereon."

Your Committee find, That in the Secret Bengal Consultations, of 2d March 1778 (Appendix N^o 6. (M.) the Letter from the Nabob Mobareck ul Dowla, recorded the 23d ultimo, was reconsidered; and that the several Members of the Council then present (Messrs. Wheler, Francis, and the Governor General) delivered Minutes to the Council; which Proceedings Your Committee have thought proper to enter into the Report, as the several Minutes will throw much Light on the Subject.

" Extract of Fort William Secret Consultations, 2d March 1778.

" Reconsidered the Letter from the Nabob Mobareck ul Dowla, received the 12th, and recorded the 23d ultimo.

" Mr. Wheler delivers in the following Minute:

" Mr. Wheler—After having very maturely considered the 40th Paragraph of the General Letter from this Presidency to the Court of Directors, dated the 20th November 1775, particularly that Part of it which mentions the Appointment of Mahomed Reza Cawn to the Naibship of the Nizamut, for the Support of that ostensible and active Power in the Nizamut which the Nabob, from Youth and Neglect of Education, was judged incapable to exercise; and having likewise perused the 35th Paragraph of the General Letter from the Court of Directors, dated 24th December 1776, wherein they highly approve, for the Reasons above quoted, of the Appointment of Mahomed Reza Cawn; I am of Opinion, that the Request now presented to this Board by his Highness, consistently with those Orders, cannot be complied with here; but that it will be proper to submit the same to the Determination of the Court of Directors, together with such Remarks as may serve to apprise them of the Consequence, whether beneficial or otherwise, that may probably result from complying with his Highness's Request. And I am further inclined to this Mode, from a Belief that, although his Highness was under Age when placed under the Guardianship of Mahomed Reza Cawn, it was well known to the Court of Directors that, previous to the Date of their Letter approving Mahomed Reza Cawn's Appointment, or to its Arrival in India, his Highness either had or would shortly attain the Years of Maturity.

" Fort William,

(Signed)

Edw^d. Wheler."

" 28th February 1778."

" Mr. Francis delivers in a Minute containing his Opinion, as follows:

" Mr. Francis—I could have wished that, before I had been called upon to deliver my Opinion on the present Question, the Merits of it had been stated to us by the Governor General, and regularly debated at the Board. The Institution of a Council supposes a reciprocal Communication of Opinions, and that no Resolutions shall be formed without a previous Debate. Reserving, therefore, to myself the Right of altering or qualifying the Answer I now deliver in, according to the Lights and Information I may receive from the other Members of the Board, I must declare, that I think we have but one Course to pursue.

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"The Letter received from the Nabob Mobareck ul Dowla should be referred to the Court of Directors. I do not myself see any one Motive that should press this Government to take upon themselves the hazardous Resolution of complying with the Requisitions contained in it; especially at a Time when Measures of the greatest Importance to the Welfare of India already divide our Councils, and ought to engross our Attention. The Subject is delicate in its Nature, and I wish to speak of it with Caution and Reserve. The Board will consider maturely what Consequences the Compliance required of us may lead to; with what Demands upon the Company it may be followed; in what Manner it may affect the internal Government of these Provinces, and how far it may coincide with or embarrass Arrangements at this Moment probably under the Consideration of the Legislature for the permanent Settlement of Bengal.

"With respect to the Removal of Mahomed Reza Cawn, I shall only observe at present, that the Court of Directors have approved of our Recommendation of him to the Nabob, to constitute him his Naib; that they are well-pleased that he has received that Appointment, and that they have authorized us to assure him of their Favour. I trust that no Member of this Board would recommend or approve of the Dismissal of a Man whom the Court of Directors themselves consider as qualified for the high Station he holds, in a more eminent Degree than any other Native with whom the Company has been connected, without their express Authority, or unless some Crime had been proved against him.

"Mr. Wheler and I having delivered our Opinions on the Question brought before the Board by the Governor General, I must request that the Governor will be pleased to favour the Board with his Opinion upon it."

"Governor General—I did not expect that my Opinion would be required until those of the other Members had been regularly taken in Succession; nor was this Day appointed for collecting the Opinions upon the Subject. Mr. Barwell's has not been received; he is absent; I shall therefore decline to give my Opinion at this Day's Consultation, unless the Majority of the Board now assembled shall require it."

"Mr. Francis—On this Day Sevensnight, the Governor General moved, that the Opinions of the Members of the Board might be taken on the Subject of the Nabob's Letter. The Motion states, that their Opinions may be taken at the next Meeting of the Council; and the Question was brought forward again this Day, I presume, with the Governor's Approbation, at least, it was not called for by any other Member of the Board; I believe therefore I am perfectly regular in Point of Form, in requesting his Opinion may follow those of the Members present: I therefore beg Leave to repeat my Request in the Form of a Motion; but am ready if the Governor General approves of it, to put off the Consideration of this Question until this Day Fortnight."

"The Governor General—I desire the Secretary to declare whether he had any Directions from me to bring this Matter before the Board?—This is properly the Consultation following that in which the Question was first brought before the Board; as the Meetings on Thursdays, though held in this Chamber, belong only to the Department of Inspection, and are held by a Summons issued by the Secretary to that Department. It was probably my Intention to have brought on the Question for Decision this Morning, but I apprehend it cannot be done with Regularity, as one of the Members of the Board, whose Opinion, I presume, will be essentially necessary, is at this Time absent. It will rest with the Majority of the Board assembled, to let the Question take its due Course, or to force it to an immediate Decision, subject to a regular Confirmation or Repeal at the next Meeting. I cannot consent to the Compromise proposed by Mr. Francis; it is inconsistent with the Demand for an instant Decision."

"The Secretary begs Leave to acquaint the Board, that he did not receive any Orders whatsoever for bringing on the Consideration of the Nabob's Letter this Morning, but that he introduced it as a Subject depending before the Board in the regular Course of Business."

"Mr. Francis—In proposing to defer the Question to this Day Fortnight, I have explained myself to mean, that we should wait for the Receipt of the Company's Letter now on board one of the Ships at Madras, and which we may probably receive in that Time; since that is not approved by the Governor General, I adhere to my First Motion, being perfectly sure that I proceed not only with the strictest Observance of the Forms of the Board, but with the utmost Candor and Consideration."

"The Governor General—From the Whole which has passed in this Debate, which hitherto has been confined to Mr. Francis and myself, it is very evident that Mr. Francis persists in his Motion on the Presumption of a superior Influence, occasionally over-ruling me at this Day's Meeting, otherwise it is impossible to conceive any Reason why he should insist on an instant Decision of the general Question proposed by me on last Monday, when he at the same Time prefers the Suspension of it for a Fortnight, and the Time in which I would propose to suspend it will necessarily form a Part of that Interval, and of Course come nearer to his own Proposition than an immediate Determination. I forbear to say more upon the Subject; It will rest with Mr. Wheler, to determine whether the original Question shall be determined immediately, or wait until the Assembly of the Board is complete."

"Mr. Francis—If the Board will not unanimously agree to wait for the Receipt of the Company's Instructions, now upon their Way probably to this Place, it is not in my Power to assign a Reason why the Board should not decide the Question now. The Motive imputed to me for
"urging

"urging such Decision at present, though in fact I have not done so, will, I believe, in the Mind of every impartial Judge, be full as applicable to the Desire intimated by the Governor, that Mr. Barwell's Presence should be waited for. Considerations of that Kind are irregular, and, as I think, not fit to be insisted on of either Side. I beg the Question may be put."

"The Governor General—I believe I know Mr. Barwell's Sentiments upon the general Question as I know Mr. Wheler's; but the Question now before the Board is of a different Nature, and is most undoubtedly an Advantage taken of the present Composition of the Board; it may, however, prove an instructive Experiment, and I shall not be very sorry that it is made. If Mr. Francis knows that the Company's Instructions, which he says are probably now on their Way to this Place, relate to the general Subject now under Consideration, I will readily agree to postpone it; but if he has no such Knowledge, and there is the strongest Reason to believe that they contain nothing which bears the most distant Allusion to it, I know not why I should be required to support the Credit of such a Suggestion."

"Mr. Francis—I am not acquainted with the Contents of the Company's expected Letter; but I do believe, on the Authority of the Court of Directors themselves, expressed in their Letter to the late Sir John Clavering, that it contains some general Arrangements concerning the Affairs of this Country and the Government. They positively promised him to send out such Instructions by their next Dispatches."

"The Governor General—I believe the Court of Directors will regret their ever having given such a Promise, when they know that it has been circulated to every Part of the Provinces, and even beyond the Dominions of our Ally the Nabob of Oude, for the Purpose of weakening the Influence of the present Administration and defeating its Measures: It therefore becomes me, whilst I hold the Place I possess in this Government, to use every Means that may be requisite for obviating the Effects of so dangerous a Policy. This alone would be a sufficient Reason for me to refuse to protract the present or any other Question, until the Arrival of the Company's Orders, on the Supposition that they will contain the Confirmation of a Belief so industriously propagated."

"The Question proposed by Mr. Francis being put,

"Mr. Wheler—Of the Two Propositions made by Mr. Francis, I prefer the postponing the further Consideration of this Question for Fourteen Days; but as that is disapproved by the Governor General, I think it highly necessary that we should come to an immediate Decision, and I only regret that that Decision will probably not be final."

"Governor General—I submit, and shall deliver my Opinion as nearly as I can in the Terms of the Question. It is my Opinion, that the Requisitions contained in the Letter from the Nabob Mobareck ul Dowla, entered in the Consultations of last Monday, be complied with."

"Mr. Francis—I move, that it be resolved, in Conformity to the Opinions of a Majority of the Board, that the Nabob's Letter be referred to the Decision of the Honourable the Court of Directors; and that no Resolution be taken here upon the Subject of the Requisitions contained therein, without their special Orders and Instructions."

"Mr. Wheler agrees.

"Mr. Francis agrees.

"Governor General—I object and protest both against this and the preceding Resolution."

The Board then came to the following Resolution:

"That the Nabob's Letter, recorded the 23d ultimo, should be referred to the Decision of the Court of Directors; and that no Resolution be taken here upon the Subject of the Requisitions contained therein, without their special Orders and Instructions."

Your Committee find that Three Days after this Transaction had passed the Council, that is on the 5th March 1778, the following Proceedings are recorded in the Secret Consultations (Appendix, N^o 6. (N.)

"Governor General—I move that the Resolution passed in the last Consultation, to wit, That the Nabob's Letter be referred to the Decision of the Honourable the Court of Directors, and that no Resolution be taken here on the Subject of the Requisitions contained therein, without their special Orders and Instructions, *be repealed*; and that the Question proposed by me in Consultation 23d ultimo, namely, That the Opinions of the Members of the Board may be taken, whether the Requisitions contained in the Nabob's Letter, recorded in that Day's Proceedings, shall be complied with or denied, may be reconsidered.

"I must here observe, that the preceding Question was in a special Manner referred to the Consideration of every Member of the Board, and that Mr. Barwell's Opinion upon it had not been received at the last Consultation, in which the preceding Resolution was passed. I desire my Minute in which the original Question was proposed, may be entered in this Place.

"Governor General—I move that the Opinions of the Members of the Board may be taken, whether the Requisitions contained in the above Letter shall be complied with or denied? It is late, nor would I wish the Board to form any decided Resolution upon a Subject of this Nature without the fullest Deliberation; I desire therefore that the Secretary may send the Letter and Question round to the different Members of the Board, that their Opinions may be taken at the next Meeting of the Council.

"Mr. Wheler—As the Governor General has assigned no other Reason for bringing this Question again before the Board, except the Absence of one of the Members, which might have been

"urged

" urged and accepted as a Motive for deferring the Question to the Time proposed by Mr. Francis ;
 " I am against rescinding the former Resolution, and reconsidering the Question now.

" Mr. Francis—It is not affirmed or suggested that the Resolution taken at the last Consultation
 " was not regular in Point of Form, or valid in Point of Law ; neither has it been affirmed that
 " sufficient Time was not given to the Members of the Board, to form their Opinions upon the origi-
 " nal Question, or that the Consideration of it was brought forward by either of those Gentlemen
 " whose Votes constituted the Resolution. We had a Week to consider it. The Day was fixed by
 " the Governor's own Motion, and the Debate was introduced by the Secretary's reading the Nabob's
 " Letter with the Governor's Consent and Approbation, and without any Motion from Mr. Wheler
 " or me. After Mr. Wheler's Opinion and mine were read, we proceeded to other Business, and
 " waited above Two Hours in Expectation of Mr. Barwell's Arrival. From these Facts I presume
 " it follows that the Objection now made to the Resolution on the Score of Mr. Barwell's Absence, is
 " not in any Sense valid ; and the Governor General suggests no other for repealing that Resolution :
 " I am left therefore without any Arguments proposed to counterbalance those on which my Opinion
 " was founded. But if Arguments are even now offered against the Propriety of the Resolution
 " itself, I shall be ready to enter into the Consideration of them. When no Arguments whatsoever
 " are offered to justify the rescinding of a solemn Act of Government, I should think myself not
 " only highly criminal, but, as a Man acting blindly and without Reason, if I consented to
 " repeal it."

" Mr. Barwell—Could I regard the Resolution of the 2d Instant as a solemn regular Act of
 " Government, I should decline including my Opinion at this late Period ; but when a Question has
 " been proposed to be decided upon, the Sentiments that may be delivered by every Member of
 " the Council, and the Right of every Member to deliver his Opinion, is not only acknowledged by
 " the unanimous Admission of the Mode in which the Question was proposed, but by such Admis-
 " sion each Member is bound to deliver his Opinion, and each to allow the Weight carried by a
 " Majority of such Opinions. I have no Option, nor can I submit to be excluded from a Right
 " which the unanimous Reception of the Question in the Form it appears the 23d February, gives
 " me. No subsequent Resolution could deprive me of the Privilege of a Vote on the present Sub-
 " ject, nor no Resolution independent of that Vote, I apprehend, can be an Act of Government,
 " while Two Members only, without the Concurrence of one or both of the other Members, under
 " such Circumstances, are pleased to call their Votes an Act of Government. The Manner in which
 " the Question was proposed, and left for Decision, I must again observe in this Place, precluded a
 " Decision, if any Difference of Opinion prevailed among the other Members, without mine being
 " also delivered. For these Reasons I approve the Governor General's present Motion as regular
 " and proper to restore to me those Rights on the present Subject which were given me on the first
 " Admission of the Question by the Board, and cancelled by the Resolution of the 2d Instant."

" Mr. Francis—I beg Leave to call upon Mr. Barwell for an Explanation of those Words in which,
 " as I understand, he affirms or intimates, that a Resolution taken by the major Part of the Mem-
 " bers present in Council on Monday last, is not an Act of Government. The Meeting of that Day
 " was summoned by the Governor General ; and the Law declares, " That in all Cases whatso-
 " ever, the Governor General and Council shall be bound and concluded by the Opinion and Decision
 " of the major Part of those present."

" Mr. Barwell—I am really at a Loss to express my Meaning in Terms clearer than those in
 " which it already appears. I pretend not to deny that a Majority of the Council General consti-
 " tutes an Act of Government : I simply point out that the Admission of a Question for my Opini-
 " on allows not the Council an Option to cancel the Privilege such Admission conferred, nor
 " leaves it in my Power to decline a Vote on the present Subject. If any further Explanation is
 " necessary, I must refer to the Company what I have already said ; and flatter myself they will
 " judge it both clear and explicit."

" Mr. Francis—I submit it to the Judgment of our Superiors, whether the Words used by Mr.
 " Barwell do or do not amount to a Denial of the Legality of the Resolution passed last Monday,
 " from the Principles on which he now votes for repealing it ? I apprehend it would follow, that
 " any Member of this Board might, by absenting himself from Council in parallel Circumstances,
 " prevent the Decision of any Question whatsoever."

" Mr. Barwell—I apprehend Mr. Francis is wrong in construing my Denial of any Vote preclud-
 " ing my Opinion, under Circumstances such as I have already described, to amount to an Affirma-
 " tion that the Votes of a Majority do not constitute an Act of Government : So far from it, that
 " if it affirms any Thing, it is the contrary, that a Minority of any Question may not assume the Ap-
 " pearance of a Majority."

" Resolved, That the Resolution, passed in the last Council, viz. " That the Nabob's Letter, re-
 " corded 23d ultimo, be referred to the Decision of the Honourable the Court of Directors ; and
 " that no Resolution be taken here on the Subject of the Requisitions contained therein, without
 " their special Orders and Instructions," be repealed.

" Mr. Francis—I beg Leave in this Place to enter my Dissent and Protest against this Resolution,
 " for the following Reasons :

" 1st. Because it reverses a regular and formal Resolution of a former Board, without any one
 " Argument being urged against the Propriety of that Resolution.

" 2d. Because it deprives the Court of Directors of their Jurisdiction over a Question of the ut-
 " most

" most Importance to their Affairs, and to the good Order of this Government, without any one Reason why the Decision of that Question should be pressed at this Time, and not referred to their Judgment."

" Mr. Wheler—I likewise beg Leave to enter my Dissent, for the Reasons already assigned by Mr. Francis."

" The Second Motion contained in the Governor General's Motion, being put,

" Agreed, That the Question proposed by the Governor General, 23d ultimo, viz. That the Opinions of the Members of the Board may be taken, Whether the Requisitions contained in the Nabob's Letter recorded on that Day, shall be complied with or denied? may be reconsidered."

" Mr. Wheler and Mr. Francis having given their Opinions on the original Question in the last Consultation,

" Mr. Barwell proceeds to deliver his Sentiments as follow :

" Mr. Barwell—I am of Opinion, that, as the Nabob is pleased to demand and assert the positive Rights of his Office as Nizam of the Provinces, and as he has been invariably acknowledged such by the Company and this Government, I do not see upon what Ground we can deny his Request. A Reference at this Time for the Orders of the Company, would be an Evasion reflecting on their Honour, and unbecoming the Justice of the Government."

" Governor General—The Nabob's Demands are grounded on positive Rights, which will not admit of a Discussion.

" He has an incontestable Right to the Management of his own Household.

" He has an incontestable Right to the Nizamut; it is his by Inheritance; the Dependants of the Nizamut Adawlut, and of the Fousdarry, have been repeatedly declared by the Company, and by this Government, to appertain to the Nizamut.

" For these Reasons I am of Opinion, that the Requisitions contained in the Nabob's Letter, entered on Consultation 23d ultimo, ought to be complied with."

" Mr. Francis—Since it has been resolved that the Consideration of the original Question should be resumed, I desire that the Secretary will read to the Board the repeated Letters already addressed to the Governor General by the Nabob on this Subject, previous to the last, as they will probably throw Lights upon it, which are not before us at present."

" Governor General—I must beg Mr. Francis's Pardon for objecting to the present Motion, as it does not arise out of any new Matter produced at this Meeting; and as these Letters, if they are supposed to contain any additional Lights, ought to have been considered by him before he gave his Opinion. I have no Objection to their being produced; the Letter Book containing the Persian Correspondence ought always to be before the Board, and this is the only Day in which I recollect that they were not lying upon the Table; my Objection goes only to the Loss of Time which will be consumed in tracing the Nabob's Letters, which may have been written on the Subject, and in reading them to the Board. The Letter Books are now produced; I desire that the Assistant Secretary will examine them, and shew Mr. Francis such Letters as he finds contained in them from the Nabob. This I apprehend will answer all the Purposes for which he can require them, and the Time of the Board will be spared."

" Mr. Francis—I understood the original Question was resumed *de novo*. In delivering my former Opinion, I reserved to myself a Right to alter it according to the Arguments which might be stated in the Course of the Debate. The Letters in question, if they are entered on the Persian Correspondence, might have been read while we have been talking upon the Subject. I generally have examined the Persian Correspondence, but do not recollect to have seen any Letter from the Nabob, stating, as he says, very fully the Trouble and Uneasiness he suffers from the Nabob Mahomed Reza Cawn's being invested with the Offices he now holds. From what I have heard of his Conduct, and of those Persons who are most in his Confidence, and have the greatest Influence with him, I can easily believe that Mahomed Reza Cawn's Authority is a Restraint over him; when that Restraint is removed, I do not doubt that he will immediately become what he was before, an easy Prey to his menial Servants, whose utter want of Ability, Integrity, and Attention to render him in any Degree respectable even in the Eyes of the Natives, are well known to the Court of Directors. When the Rights of the Nabob to the Management of his Household, and to the Exercise of the great Offices dependant on the Nizamut, are so peremptorily declared, I should have conceived that his Ability to judge and act for himself and his Capacity to execute Offices of such essential Importance to the Welfare of the Country, would also have been considered by a prudent Government. I know with Certainty that he is in his own Person utterly incapable of executing any of these Offices; nor does it follow from any Acknowledgment of his Rights, that it should not be the Duty of this Government to recommend to him wise and able Men, and such as the Company themselves are known to confide in, to support and carry on that Part of the Public Business, which is still left, or supposed to be left, with the Nizam. The Company will judge of the real Motives and Object of the Requisitions brought before us in his Name, and how far such an Address from him will justify the Removal of a Minister, whose Appointment has been expressly, and in the highest Terms, approved by him on the 24th December 1776. The Secretary has yet pointed out to me but One Letter from the Nabob, which appears to have been received on the 17th November. In that Letter he says, " I am hopeful you will not keep me

" longer in this painful Suspense, but will be kindly pleased to write immediately to the Munny Begum, that she take on herself the Administration of the Affairs of the Nizamut, which is in fact her own Family, without the Interference of any other Person whatsoever; by this you will give me complete Satisfaction." The Way then to give this young Prince complete Satisfaction, if we can suppose such Letters are really dictated by him, is to restore Munny Begum to the Administration of the Affairs of the Nizamut, without the Interference of any other Person whatsoever. By this Request it appears how little he thought himself qualified Three Months ago to take upon himself the Offices which he now desires to be invested with. I do not doubt that the Object of the present Measure is to restore Munny Begum in Fact, if not in Form, to the Power, of which she was divested by a former Act of this Government. The Merits of this Lady are well known to the Company. But it may be proper to repeat in this Place what the Court of Directors have with great Reason thought fit to say of her: "Notwithstanding such vast Sums have been carried to the Nabob's Account, over and above his Stipend, in so short a Space of Time, we observe, that in May 1775, there was not a Rupee in his Treasury, though there were Demands upon him to a large Amount. This Circumstance alone, were there no other Improprieties in the Conduct of Munny Begum, would justify her Removal from the Office of Guardian to the Nabob; because it is evident, that under her immediate Superintendance, great Part of his Allowance must have been embezzled, or very grossly misapplied."

" Resolved, That the Requisitions contained in the Letter from the Nabob Mobareck ul Dowla, entered in Consultation 23d February, be complied with.

" Mr. Francis—I dissent from and protest against this Resolution; because, in Addition to all the other Reasons expressed by me, it is a direct and positive Disobedience of the Orders of the Court of Directors, expressed in their high Approbation of the Appointment of Mahomed Reza Cawn to his present Employment; and because this important Resolution is taken without any one Reason being assigned in Support of the Necessity or Expediency of it."

" Mr. Wheler—I accede to every Objection pointed out by Mr. Francis, and likewise join with him in his Dissent and Protest. Further, as the Nabob has thought proper at this Period to demand his positive Rights, and as those Rights may probably prove much more extensive than appears from the Question now before the Board; I am confirmed in my former Opinion, that his Highness's Request ought to be referred to the deliberate Decision of the Court of Directors, and not at present receive the Sanction and hasty Determination of this Board."

" Governor General—I now move, that a Letter be addressed to the Nabob Mobareck ul Dowla, informing him, that the Board have agreed to comply with the Requisitions contained in his Letter; but that he be requested to permit the present Judges and Officers of the Nizamut Adawlut, and of the Fousdarry, to continue in Office until he shall have formed a new Arrangement of those Officers, and shall have advised the Board of the same through the regular Channel of the Governor General. I move also, that the Substance of the preceding Resolution be communicated to Mahomed Reza Cawn."

" Mr. Wheler—I object to the Letter for the same Reasons that I have objected to the general Question.

" Mr. Francis—I agree with Mr. Wheler.

" Mr. Barwell—I agree to both the above Motions.

" Resolved, That a Letter be addressed to the Nabob Mobareck ul Dowla, informing him, that the Board have complied with the Requisitions contained in his Letter; and that he be requested to permit the present Judges and Officers of the Nizamut Adawlut, and of the Phousdarry, to continue in their present Appointments until he shall have formed a new Arrangement of those Officers, and shall have advised the Board of the same through the regular Channel of the Governor General.

" Resolved also, That the Substance of the preceding Resolution be communicated to Mahomed Reza Cawn.

" Warren Hastings.

" Rich^d Barwell.

" P. Francis,

" Edw^d Wheler."

Your Committee have entered at large the several Minutes of each Member of the Council, that the House may clearly perceive their different Reasonings upon a Question of so much Importance, as that of removing the several Officers of the State, whose Nomination had received the Approbation of the Court of Directors, against whose Conduct in Office no well-founded Charge had been made; and the only Reason assigned for his Removal, was the Nabob's Letter.

This Motion, to rescind the Resolution of the 2d March, was carried by the Casting-voice of the Governor General; Mr. Barwell, who was not at the former Consultation, being now present, and concurring with the Governor General. The several Letters from the Nabob, recommending his Mother, the Munny Begum, to the Administration of Public Affairs, are inserted in the Appendix, N^o 6. (S) (T) (V) (U.)

Your Committee find, that the Council General, in their Letter to the Court of Directors of the 20th March 1778 (Appendix, N^o 6. (O) thus write:

" Par.

" Par. 15. On the Receipt of a Letter from the Nabob Mobareck ul Dowla, addressed to the Governor General, in which he remonstrates against the sole Management and Administration of the Affairs of the Nizamut, the Fouldarry, and the domestic Concerns of his own Household, being continued in the Person of Mahomed Reza Cawn, as Naib Soubah, after he was of Age to conduct them himself; asserting also his Right to execute these Branches of his own Authority, since he had attained the Age of Maturity both by the Mahomedan and Christian Laws; and desiring that Mahomed Reza Cawn might be removed from the Trust with which he was invested; a Proposition was made for the Consideration of the Board, and delivered to each of the Members, signifying that their separate Opinions might be delivered on the next Council Day.

" When we assembled again, the Letter from the Nabob was read, with the Proposition upon it; and it was determined by a Resolution of a Majority of the Members then present, to refer the Application to your Decision. 2d March.

" At the next Meeting of the Board a Motion was made for reconsidering the Subject of our former Debates, as one of the Members to whom the Proposition had been delivered, was absent from the preceding Council, and had not given his Sentiments upon it. 5th March.

" In consequence of his Opinion the Resolution of the Day before was rescinded; and as we regarded the Nabob's Claim in the Light of a positive and incontestable Right, which we could not in Justice deny him the Enjoyment of, we resolved to comply with his Demand."

Your Committee find that the Court of Directors, in their Letter of the 4th February 1779 (Appendix, N^o 6. (A a) seem to have well considered the Subject. They expressed their Sentiments in very strong and pointed Terms against the Majority of the Board; and your Committee have thought it necessary to insert in this Place the several Paragraphs of their Letter, which concludes with their Orders, that Mahomed Reza Cawn shall be immediately restored to the Office of Naib Soubahdar.

" Par. 8. We by no Means approve your late Proceedings on the Application of the Nabob Mobareck ul Dowla, for the Removal of the Naib Soubahdar. The Requisition of Mobareck ul Dowla was improper and unfriendly, because he must have known that the late Appointment of Mahomed Reza Cawn to the Office of Naib Soubahdar, had been marked with the Company's special Approbation; and that the Court of Directors had assured him of their Favour as long as a firm Attachment to the Company's Interests, and a proper Discharge of the Duties of his Station, should render him worthy of their Protection. We therefore repeat our Declaration, that to require the Dismission of a Prime Minister thus circumstanced, without producing the smallest Proof of his Infidelity to the Company, or venturing to charge him with one Instance of Maladministration in the Discharge of his Public Duty, was improper and inconsistent with the Friendship subsisting between the Nabob of Bengal and the Company.

" 9. Admitting the Nabob's Complaint, that Mahomed Reza Cawn is not connected with him by relative Ties, to be well-founded, it by no Means follows that he has been deficient in Duty or sincere Attachment to him, or that his Power is oppressive and dishonourable to the Nabob and his Family; nor can Assertions of this Nature, unattended by Proof, have any Weight with us.

" Par. 10. In regard to the Nabob's Claim to take Charge of his own Affairs, merely because he is of Age, and thinks himself capable of conducting them, we find it declared by one of your Members, and not contradicted, that he knew with Certainty that the Nabob is, in his own Person, utterly incapable of executing any of those Offices which were deemed of essential Importance to the Welfare of the Country; and we are sorry to find, that neither this Declaration, nor the Protests of Two Members of the Council, seem to have been thought worthy of an Answer, or even of Consideration, by the Majority of the Board.

" 11. The Nabob hopes, from your Favour and Regard to Justice, to be delivered from the Authority of Mahomed Reza Cawn. He ventures to declare the Company solely indebted to the warm Support of his Ancestors for their present Greatness and Advantages. He claims the Management and Administration of the Soubahdary as his Right; and says, it will be highly inequitable in the Company to refuse their Approbation to his Request.

" Par. 12. We pass over these extraordinary Suggestions of the Nabob without Reply; only observing, that in Justice to him and ourselves, we must take the best Care in our Power of the Peace and internal good Government of the Country; and we are not disposed to hazard the Effects which might be occasioned by committing the entire Management thereof to his Inexperience, without enjoining him to accept such Assistance, and to employ such Ministers about his Person, as may be deemed necessary on the Part of the East India Company.

" 13. The 23d of February we find the Nabob's Letter, and a Question thereon, were circulated to the different Members of the Board, for their Opinions to be taken at the next Meeting of Council, which Meeting happened on the 2d of March; but one of the Members being indisposed, did not attend at that Board.

" 14. We have carefully noticed your Debates on the Subject. The Resolution of Council of that Day, that the Nabob's Letter should be referred to the Decision of the Court of Directors, and that no Resolution should be taken in Bengal on his Requisitions, without our special Orders and Instructions, appears to us very proper; we must therefore express our Disapprobation, on finding the said Resolution rescinded, on the frivolous Pleas urged by the Majority of the Board, Three Days afterwards.

" Par. 15. If the Absence of a Member of Council were sufficient to preclude the Discussion
" of

“ of any Subject which might have been referred for Consideration by a former Board, or to invalidate Resolutions taken during such Absence, it would be in the Power of any Member effectually to defeat the Ends proposed by the Institution of a Council, and to put a total Stop to Public Business whenever he thinks proper. We shall not waste Time in refuting Claims of Privilege advanced on this Occasion, because they appear to us unworthy of Consideration, and beneath all Argument.

“ 16. The Nabob having intimated that he had repeatedly stated the Trouble and Uneasiness which he had suffered from the Naibship of the Nizamut being vested in Mahomed Reza Cawn, we observe one of the Members of your Board desired the Nabob's repeated Letters on the Subject might be read; but this reasonable Request was over-ruled, on a Plea of saving the Board's Time; which we can by no Means admit as a sufficient Objection.

“ Par. 17. The Nabob's Letters of the 25th and 30th of August, of the 3d of September, and 17th of November, leave us no Doubt of the true Design of this extraordinary Business being to bring forward Munny Begum, and again to invest her with improper Power and Influence, notwithstanding our former Declaration, that so great a Part of the Nabob's Allowance had been embezzled or misapplied under her Superintendence.

“ 18. Instead of your declaring that the Nabob's Demands were grounded on positive Rights, which shall not admit of Discussion; that the Nizamut is his Inheritance; that the Dependants of the Nizamut Adawlut and Foujedarry appertain to that Inheritance; that as he is pleased to demand and assert the positive Rights of his Office, as Nazim of the Provinces, there is no Ground for denying his Request; and that a Reference to the Company would be an Evasion unbecoming the Honour of Government;—the Nabob might have been reminded, that a Naib Soubadar was appointed, and that Office continued without Interruption or Objection, during the Government of his Ancestors; who must have been supposed more capable of governing the Provinces than a Youth of 20 Years of Age.

“ 19. You have requested this inexperienced young Man to permit all the present Judges and Officers of the Nizamut and Foujedarry Adawluts, or Courts of Criminal Justice, and also all the Foujedars or Officers appointed to guard the Peace of the Country, to continue in Office until he the Nabob shall have formed a Plan for a new Arrangement of those Officers; and it is with equal Surprise and Concern that we observe this Request introduced, and the Nabob's ostensible Rights, so solemnly at this Period by our Governor General; because on a late Occasion, to serve a very different Purpose, he has not scrupled to declare it as visible as the Light of the Sun, that the Nabob is a mere Pageant, and without even the Shadow of Authority. No Circumstance has happened since that Declaration was made, to render the Nabob more independant, nor to give him any additional Degree of Power or Consequence; you must therefore have been well apprized that your late Concessions to Mobareck ul Dowla, were unnecessary, and as such unwarrantable.

“ Par. 20. As we deem it for the Welfare of the Country, that the Office of Naib Soubadar be for the present continued, and that this high Office should be filled by a Person of Wisdom, Experience, and of approved Fidelity to the Company; and as we have no Reason to alter the Opinion given of Mahomed Reza Cawn in our Letter of the 24th of December 1776, we positively direct that you forthwith signify to the Nabob Mobareck ul Dowla our Pleasure, that Mahomed Reza Cawn be immediately restored to the Office of Naib Soubadar. And we further direct, that Mahomed Reza Cawn be again assured of the Continuance of our Favour, so long as a firm Attachment to the Interest of the Company, and a proper Discharge of the Duties of his Station, shall render him worthy of our Protection.”

Your Committee find that the Governor General and Council, on the 22d November 1779 (Appendix, N° 6. (C a) in their Public Department, took into Consideration the Letter from the Court of Directors, relative to Mobareck ul Dowla and Mahomed Reza Cawn; and the Board came to the following Resolution:

“ Resolved, That the Company's Orders for the immediate Re-instatement of Mahomed Reza Cawn in the Offices he held in January 1778, be carried into Execution; and that a Copy of the last Paragraph of the Company's Letter of the 4th February 1779, together with an exact Persian Translation thereof, be transmitted to the Nabob Mobareck ul Dowla and to Mahomed Reza Cawn, with a Requisition on the Part of the Governor General and Council to the Nabob, to conform to the Injunctions of the Court of Directors, expressed in that Paragraph.”

Your Committee find, that the next Day, the 23d November (Appendix N° 6. (D a) the Governor General moves, That the 8th to the 20th Paragraphs of the General Letter, dated 4th February 1779, with Mr. Francis's Motion and Resolution thereon, be again read: Which being read,

The Governor General moved, “ That the Opinions of the Members of the Board be taken, Whether the above Resolution shall be approved?” Your Committee particularly recommend to the Attention of the House the whole Proceedings of this Consultation, which are entered in the Appendix; but they cannot avoid extracting Part of Mr. Barwell's Minute of that Day; viz.

“ I therefore vote for rescinding the Resolution of the last Council, so far as regards the Mode of executing the Orders of the Company, but no farther. I agree to the Motion, that the Order be executed; but am for leaving the Manner of doing it to the Discretion of the Governor General. From nothing that the Governor General has urged in the Course of the Debate of Yesterday

" do I perceive the least Disposition in him to decline the Instructions which the Company have been pleased to give relative to the Naib Soubah."

The Governor General, in his Minute, thus expresses himself: " With all the Respect and Submission which I owe and feel for the Authority of the Court of Directors, I must declare that I shall not yield even to that Authority, in any Instance in which it shall require my Concession of the Rights which I hold under an Act of Parliament."

After much Debate, Your Committee find the Council came to the following Resolution:

" Resolved, That the Resolution of Yesterday, viz. That the Company's Orders for the immediate Re-instatement of Mahomed Reza Cawn in the Offices he held in January 1778, be carried into Execution, and that a Copy of the last Paragraph of the Company's Letter of the 4th February 1779, together with an exact Persian Translation thereof, be transmitted to the Nabob Mobareck ul Dowla and to Mahomed Reza Cawn, with a Requisition on the Part of the Governor General and Council to the Nabob, to conform to the Injunctions of the Court of Directors, expressed in that Paragraph, be reversed."

And Your Committee find, That the Council General, on the same Day, resolved,

" That the Pleasure of the Court of Directors, signified in the 20th Paragraph of their General Letter, dated the 4th February last, and the Assurance therein directed to be given to Mahomed Reza Cawn, be communicated to the Nabob Mobareck ul Dowla and to Mahomed Reza Cawn, in the Words of the General Letter."

Your Committee also find, That on the Consultations of the 15th December 1779, which are entered in the Appendix N° 6. (E a) Mr. Francis, in a Minute of some Length, but well deserving the Consideration of the House, moved, " That it may be resolved, That the preceding Letter from the Nabob is highly dissatisfactory to the Board; and that the Governor General be requested to signify the same to him, and to demand, in our Name, his immediate Compliance with the Orders of the Company."

To which Mr. Wheeler agreed.

Your Committee think it proper to insert the Minutes of Mr. Barwell and the Governor General upon that Motion; which are as follow:

" Mr. Barwell—If any Advantage was stated to derive to the Company by controlling the Will of the Nabob, it might be a Question with me, how far the Occasion would vindicate the Compulsion proposed? but when no National Benefit can accrue, nor is stated, I cannot give my Assent to a very exceptionable Measure."

" Governor General—I shall take another Occasion to deliver my Sentiments at large on the Subject of this Motion: For the present I shall content myself with declaring, that I have gone to the utmost Lengths prescribed to me by the Company's Orders, and by my Sense of my Duty, and that I will not go beyond them."

Mr. Francis's Motion was negatived by the Casting-voice of the Governor.

Your Committee find the following Paragraph of the Letter from the Governor General and Council to the Court of Directors, of the 14th January 1780:

" Par. 54. On Receipt of your Orders of the 4th February last, for the Restoration of Mahomed Reza Cawn to the Office of Naib Soubah, we caused an Extract from them to be translated into the Persian Language, and transmitted through the usual Channel to the Nabob Mobareck ul Dowla. By his Answer you will observe that he has not thought proper to comply with your Requisition. For the Reasons on which he has grounded his Refusal, and our Debates and Proceedings in Consequence, we beg Leave to refer to our Consultations; and to request your attentive Perusal of them." 29th November.

Your Committee also find the following Proceedings of the Governor General, and Council, of the 24th February 1780 (Appendix, N° 6, (G a.)

" The Governor General lays before the Board a Letter from the Nabob Mobareck ul Dowla, containing his Assent to the most essential Parts of the Company's Orders, for the Restoration of Mahomed Reza Cawn to the Office of Naib Soubah. The Governor General informs the Board, that he has urged to him the Necessity of a full Compliance, and that he considers this as already effected; he therefore proposes, that the Resident at the Durbar be authorized to inform Mahomed Reza Cawn, that he is re-instated in all and every Part of the Authority vested in him by the Resolution of the Board of the 18th of October 1775, and to receive the Salary of 5^l Rupees 2,40,000 per Annum, annexed to his Office by the above Resolution, from the 13th November 1779; from which Day the several Salaries and Allowances granted to Munny Begum, Babboo Begum, Rajah Goordas, and the late Sudder ul Hoc Cawn, by the Resolution of the Board of the 11th May 1780, are to cease and determine: That he be authorized to prepare Kelauts, and invest Mahomed Reza Cawn with the same in the Name of this Government; and that the Nabob be requested to bestow on him the same Marks of his Favour." 15th December.

" From the Nabob Mobareck ul Dowla, received 22d February 1780.

" Your gracious Letter, informing me that you had received repeated and positive Orders from the Company about the Restoration of the Nabob Mahomed Reza Cawn Behadre Mozuffer Jung to the Office of Naib Soubah, and also respecting the withdrawing the Pensions of the Two

“ Begums, which had been assigned to them in the Month of January 1778, and containing your
 “ Advice on this Subject, is arrived, and I am acquainted with all the Particulars of it.
 “ Sir! what Uneasiness and Sorrow I felt on learning the Contents of your Letter, are foreign to
 “ my present Letter. Before this I have made you acquainted with all my Wishes on the Subject of
 “ the said Nabob's Restoration, and I have not yet altered my Desire on this Head; but as the
 “ Company's Orders are so positive, and since you, whom I have always considered, and still confi-
 “ der, as the Support of myself and my Family, advise me to comply with them, I am left without
 “ Remedy. As I have at all Times conducted my Affairs agreeable to your Advice, although it
 “ should not coincide with my Wishes, I have accordingly determined to obey the Orders of the
 “ Company respecting the Restoration of the Nabob Mahomed Reza Cawn to the Office of Naib
 “ Soubah, and to re-instate him accordingly in all the Rights of that Office; but will not suffer him to
 “ have any Authority in my Household Matters, which depend solely on myself; and besides, I hope
 “ from your Friendship, that positive Directions may be given to him at the Time of his Appoint-
 “ ment, that he act in all Matters by my Advice, and that my Signature be put to all Papers. Al-
 “ though I, from the Necessity of the Times, and in Compliance with your Advice, have Regard to
 “ a Thing which is full of Detriment to my Rights and those of my Family, and contrary to the
 “ Expectations which I had from the Company and the English Nation; yet, reflecting on the Justice
 “ and Equity of the English Gentlemen, I am confident that whenever the Company shall send out
 “ Orders by which my Rights can be impaired, and should direct me to be put under the Au-
 “ thority of a Person who has no Right in the least to it; you will, upon receiving full Informa-
 “ tion of it, do me Justice and restore me to my Rights, that no Disgrace and Dishonour may
 “ come upon me. In short, I trust all my Concerns to your Friendship, and hope that you will ex-
 “ plain them in such a Manner to the Company, that Justice may be done to me. Further Particu-
 “ lars will be made known to you by the Letter of Sir John D'Oyley, who is my true Friend, and
 “ in whom I put entire Confidence; whatever he shall write, consider as coming directly from me.”

Which Proposition of the Governor General's was agreed to.

And Your Committee also find on the 3d of March 1780, (Appendix N° 6. (H a) the following Letter from the Governor General and Council, to the Court of Directors:

“ Par. 12. We have the Pleasure to inform you, That the Nabob Mobareck ul Dowla having
 “ signified his Assent to the Execution of your Orders in favour of Mahomed Reza Cawn, by a
 “ Letter to the Governor General, we accordingly re-instituted him in all and every Part of the Au-
 “ thority vested in him by the Resolution of the Board, of the 18th October 1775, with the Salary
 “ of Sicca Rupees 2,40,000, annexed to the Office by that Resolution, from the 13th November
 “ 1779; from which Day the several Salaries and Allowances granted to Munny Begum, Babbob
 “ Begum, Rajah Gourdahs, and the late Sudder ul Hoc Cawn, are to cease and determine.”

And in order to give the House the fullest Information possible, Your Committee have thought it necessary to insert in the Appendix N° 6, a compleat Copy of the Proceedings respecting Mahomed Reza Cawn.

The Advices which the Court of Directors have lately received from Bengal, of a most extra-ordinary Promotion of Field Officers on that Establishment, induced Your Committee to examine the Orders of the Court of Directors on this Subject so far back as the Year 1770: And Your Committee find, that the Court of Directors, in their General Letter to the President and Council at Fort William in Bengal, of the 23d of March 1770 (Appendix N° 13. (C) after reprobating the Conduct of their Council at Bengal, for the Promotion of Two Lieutenant Colonels, direct, “ That
 “ on any future Vacancies they are not to be filled up, our Intention being that you should revert
 “ to the former Establishment of One Major to each Brigade; and we hereby declare, that if you
 “ shall hereafter presume to alter the Military Establishment laid down from the Court of Di-
 “ rectors, by the Appointment of any additional and extraordinary Officers to such Establishments,
 “ as has been done in this Instance; it is our fixed Resolution to dismiss those Persons from our
 “ Service, be they whom they may, who shall take upon themselves to concur in such notorious
 “ Disobedience of our Orders.”

And Your Committee also find, That the Court of Directors, in their General Letter to the President and Council at Fort William in Bengal, of the 10th of April 1771 (Appendix N° 13. (D) say, “ To free ourselves in future from the irksome Necessity of annulling any Appointment of
 “ Field Officers which shall not have been made with our Permission, we positively direct, that you
 “ do not at any Time take upon yourselves to advance any Commander in Chief to the Rank of
 “ Brigadier General, or appoint any Colonel to be Commander in Chief, but the Colonel succeed-
 “ ing to such Command is to act as provisional Commander in Chief, until you shall be informed
 “ of our Pleasure in this Respect; and we further order, that the like Rule be observed in regard
 “ to all other Field Officers, who in Case of Succession by any Vacancy must be appointed pro-
 “ visionally to the next superior Rank, until the same shall be confirmed by us.”

In the same Letter the Court of Directors express their Dissatisfaction at the Promotion of Captain Du Glos to the Rank of Major, as follows:

“ Par. 97. On observing your Appointment of Captain Du Glos to be a Major upon Brevet,
 “ we cannot but be dissatisfied at your assuming a Power to bestow such Favours or Distinctions as
 “ Decency

“Decency required you to submit to our Determination; however, the long and faithful Services of Captain Du Glos, and his approved Merit, have induced us to continue to him the Rank he has received from your Appointment; but as we shall not admit of your exceeding our Establishment of Engineers, Captain Du Glos must remain a Brevet Major until he shall succeed to the Rank of full Major, on a Vacancy of such Rank in the Corps of Engineers.”

And your Committee find, That the Court of Directors complain of the Number of Field Officers on the Bengal Establishment, that they limit the Number on the Establishment; and in the 100, 101, 104, and 109 Paragraphs of the same Letter, they give the following Instructions,

“Par. 100. Upon examining into the State of your Military Officers, we find the Number of Field Officers greatly exceeds your Establishment; we therefore direct, that all above Three Colonels of Infantry (including the Commander in Chief) Six Lieutenant Colonels of Infantry, One of Artillery, and the Lieutenant Colonel of Engineers, Six Majors of Infantry, Three of Sepoys, One of Artillery, and One of Engineers, are to be looked upon as Supernumeraries, and no Promotions must be made till they are provided for, as we are determined that the above Establishment shall not be exceeded on any Pretence whatsoever.

“Par. 101. As it frequently happens that you permit Field and other Officers to come to England for the Recovery of their Health, and upon their leaving India have filled up their Commissions, whereby our Military Establishment, upon the Return of those Officers, has been exceeded, and the Company's Expence thereby greatly increased; in order to avoid this Evil, we direct that you do not fill any vacant Commissions which shall happen by Field or other Officers coming to Europe for their Health, or otherwise with your Permission, but that the Officers next below them do perform their Duty until their Return, or your receiving our Orders to the contrary.

“Par. 104. Upon considering the Case of Captains Benjamin Wilding and George Boulton Eyres, we have thought proper to restore them to their original Ranks on your Military Establishments, the former as Lieutenant Colonel next below Lieutenant Colonel Winwood, and the latter as Major next under Major Frederick Thomas Smith; but they are to be paid the usual Pay of Captains only, until the Field Officers serving under the Presidency shall be reduced to the Number mentioned in the 100th Paragraph; and when they shall enjoy those Ranks by such Reduction, they are to have the full Pay and Emoluments, the former as Lieutenant Colonel, and the latter as Major.

“109. We have very maturely considered your Proceedings upon the Restoration of Captains Goddard and Ahmuty, to the Ranks they held before the Association of the Officers in 1766; and it appears to us not only an improper Measure, but very injurious to those Officers who had a just Sense of their Duty, and did not join in the Association, and also to those who were sent from Fort Saint George and Bombay to your Assistance at that critical Time, under the Assurance that they should not be superseded; but as it appears contrary to all Military Orders, that an Officer once raised to a superior should serve in an inferior Rank, without a Breach of Honour, and having a favourable Opinion of the Merits of Captains Goddard and Ahmuty, we do agree to their continuing in the Ranks you placed them on the 16th December 1769; but we direct that they receive the Pay and Allowances of Captains only, until the Field Officers serving under your Presidency shall be reduced to the Establishment of Six Lieutenant Colonels and Nine Majors of Infantry and Sepoys, when they are to enjoy full Pay and Emoluments, the former as Lieutenant Colonel, and the latter as Major; yet we are greatly displeased at the Liberty you took in promoting those Gentlemen, when your Military Establishment was complete, from whence the Company has been put to great Expence.”

And Your Committee further find, that the Court of Directors continued to adhere to their former Resolution of not encreasing their Establishment of Field Officers in Bengal, as appears by the 49th Paragraph of their Letter to the President and Council of Bengal, of the 7th of April 1773, which is as followeth, (Appendix, N^o 13. (F.)

“We have permitted Major John White to return to our Military Service at your Presidency, and to take his Rank next under that Officer who shall be younger Major on his Arrival there; but with this express Condition, that he receive only the Pay and Emoluments of Captain until the Field Officers are reduced to the Establishment, when he is to be entitled to the Pay and Emoluments of Major.”

And Your Committee further find, that the Court of Directors found it necessary to take from the President and Council the Power of granting Commissions to any Field Officers whatsoever, as will appear by the following Orders in the General Instructions to the Governor General and Council of Bengal, dated the 29th of March 1774, Par. 48. (Appendix, N^o 13. (G.)

“It is our express Order, that no Commission to any Field Officers be granted by you; but in case of Vacancy, the Officer next in Rank shall supply the same provisionally until our Pleasure be known. And we direct, that all Commissions below the Rank of Field Officers, be filled up and henceforth signed by the Governor General and Council in Bengal, and by our President and Council at every other Settlement.”

And Your Committee find, that the Court of Directors complain, that notwithstanding all their Orders, they had not been able to prevent an undue Application of the Commission granted upon the Revenues, by their President and Council of Bengal; they therefore, in their General Letter to Bengal, of the 30th of March 1774, (Appendix, N^o 13. (H)) give the following Instructions:

“Par. 68. When we restored, or acquiesced in the Restoration of sundry Officers who had been

“concerned

“ concerned in the Mutiny of 1766, it was under the express Limitation of their being confined to
 “ Captains Pay and Emoluments, until the Number of Field Officers should be reduced to the fixed
 “ Establishment; which was, Three Colonels of Infantry, including the Commander in Chief; Eight
 “ Lieutenant Colonels, and Eleven Majors; how then our President and Council could permit those
 “ Officers who were Supernumerary to share in the Commission upon the Revenues, before they
 “ succeed to the Pay annexed to their Station, we are at a Loss to conceive.

“ 69. It is however our express Direction, that the Commission upon the Revenues, ordered to be
 “ paid to Field Officers, be in future confined to the above Establishment (viz.) to Three Colonels,
 “ Eight Lieutenant Colonels, and Eleven Majors, beginning with the eldest Colonel, Lieutenant
 “ and Major.”

And Your Committee further find, that the Court of Directors, in their Letter to Bengal, of the
 3d of March 1775 (Appendix, N° 13. (L.) confirm their former Instructions as follows :

“ Par. 91. In our Letter to you, dated 30th March 1774. Par. 69, we fixed the Number of
 “ Field Officers who were to be allowed Shares of the Commission upon the Revenues of Bengal, to
 “ Three Colonels, Eight Lieutenant Colonels, and Eleven Majors: We hereby confirm the said
 “ Regulations, and direct, that no Supernumerary Lieutenant Colonel receive a larger Share of Com-
 “ mission than he would be entitled to as Major; and also that the youngest Majors be wholly ex-
 “ cluded, till the Field Officers shall be reduced to the Number fixed by our Establishment.”

Your Committee find, in a Letter from Brigadier General Stibbert to the Governor General and
 Council, dated the 31st October 1780 (Appendix, N° 13. (L.) a Plan for not only augmenting the
 Sepoys Corps in the Bengal Army, but for making very essential Changes in the Constitution of the
 Army itself. He proposes to reduce the Strength of each Battalion of Sepoys to 500 Rank and File,
 and then to form the whole Corps of Sepoys into Regiments, consisting of Two Battalions each; and
 after stating what he thinks will be the principal Advantages resulting from this Measure, he con-
 cludes as follows: “ After all, I must acknowledge that this Plan is still improveable, and would be
 “ much more complete, were a Regiment to be commanded by a Major, and each Battalion by a Cap-
 “ tain; but as this would create an extra Expence to the Company, which might be considered too
 “ heavy, I have been deterred from proposing it.”

Your Committee also find a Letter from Brigadier General Stibbert to the Governor General and
 Council, dated at Calcutta, the 24th of December 1780 (Appendix, N° 13, (M) and said to be
 written in consequence of their Commands to him by Letter of the 14th of the same Month, but
 which Letter your Committee have not been able to obtain from the East India House. The Whole
 of General Stibbert's Letter, together with the other Papers and Proceedings relative to that Busi-
 ness, will be found in the Appendix, N° 12.

Notwithstanding which Your Committee have judged it necessary to bring forward to the imme-
 diate View of the House, the State of the Army in Bengal, as described by the Provincial Comman-
 der in Chief.

Brigadier General Stibbert, in the before-mentioned Letter, says, “ I come now to speak of the
 “ advanced Rank and Allowances which I have proposed to be granted to the Officers commanding
 “ Regiments, which, however great an Innovation it may be, I hope I shall be able to make appear to
 “ be both proper and unavoidable.

“ At the same Time that, in order to the rooting out the Abuses which had from a long Course
 “ of Practice insinuated themselves throughout the Army, and which are of a Nature tending im-
 “ mediately to the Ruin of the Corps composing our native Infantry, and consequently to the en-
 “ dangering the British Interests in this Country, it is become indispensably necessary to fix such
 “ Checks, and to establish such severe Rules with respect to the mustering and paying of the
 “ Sepoys, as shall put it entirely out of the Power of their Commanding Officers to derive any Emo-
 “ lument from Deficiencies in their Corps, or from any other improper Sources, and hereby engage
 “ their Attention wholly to the disciplining of them; it is likewise requisite (to this beneficial and
 “ desirable End) to annex such Rank and Allowances to the Command of these Officers as suits its
 “ Importance, and the Length of their Services; for totally to debar them from all Perquisites and
 “ Emoluments whatsoever, without advancing their Rank and Salary, would (supposing it possible
 “ to introduce such a Regulation into our Army) produce no other Consequence than that of ren-
 “ dering them to a Man disaffected to our Service. I need not add, that this is a Disposition which
 “ certainly gives Birth to an universal Relaxation of Discipline; an Evil to which, under such Cir-
 “ cumstances, no Remedy, however violent, could be effectually applied. This Danger however will
 “ be avoided by granting the superior Officers the advanced Rank and Allowances proposed by me,
 “ which no Doubt will ere long reconcile them to the Reform; which, by disengaging them from
 “ the Pursuit of other Objects, will lead them to exert themselves more than ever in training and
 “ disciplining the Corps committed to their Charge.

“ There remains, Gentlemen, little more for me to say. Those Parts of the annexed Regulations
 “ on which I have not remarked, will, I trust, speak for themselves; but I am particularly hopeful
 “ that the Forms I have prescribed for mustering and paying the native Troops, will evince that my
 “ principal View in these Arrangements has been to strike at the Root of every Abuse that has
 “ hitherto operated, either to the Prejudice of good Order and Discipline or the Rights of the native
 “ Soldiery, on whose hearty Attachment to the Service so much depends.

“ I am aware, that exclusive of Pay, Batta, and Allowances, there may be some other additional
 “ Expences incurred by the Arrangements I have the Honour to lay before you, of which I have
 “ not taken Notice in my Statements. It is not my Intention to rest their Propriety or Utility on
 “ the

“ the Proof of their yielding the Saving exhibited in the annexed Memorandum. I shall be satisfied
 “ if they do not increase the Disbursements on the Army Account; and though, contrary to Appear-
 “ ances as well as to my Hope, they should add in a small Degree to the Military Burthen, yet I
 “ am confident that the beneficial Consequences which will in due Time result from them, will be
 “ considerably more than equivalent to the extraordinary Expence that may be incurred by
 “ them.”

Your Committee find the following Propositions, amongst many others (all of which are inserted in the Appendix, N^o 13, (M) submitted to the Council General by Brigadier General Stibbert:

“ That the Sepoy Corps of this Establishment be new-modelled in the Manner following; (viz.)

“ That the several Battalions of Sepoys now attached to Brigades, be augmented by new Levies
 “ to 1,000 Men Rank and File; that they shall be denominated Regiments; and that these Regi-
 “ ments be formed into Two Battalions of equal Strength, consisting each of Five Companies,
 “ viz. One Grenadier and Four Battalion Companies.

“ That this Regiment be commanded by a Major, to be stiled Major Commandant; and each
 “ Battalion of it by a Captain.

“ That a Gratuity of 600 Rupees a Month be given to each Major Commandant, in Considera-
 “ tion of his Length of Service, and in lieu of all Perquisites and Emoluments whatsoever, from
 “ which they shall be totally excluded.

“ That an Allowance of 120 Rupees per Month be given to each Captain commanding a Batta-
 “ lion of a Regiment, as a Compensation for the extraordinary Duty annexed to this Station.

“ That Two Lieutenant Colonels be attached to the Sepoy Corps of each Brigade.”

And Your Committee find, that the Governor General and Council of Bengal, notwithstanding they were restrained by the most positive Commands of the Court of Directors, not to grant a Commission to any Field Officer, but that in case of Vacancy the Officer next in Rank should supply the same provisionally, until the Pleasure of the Court of Directors was known, did pass the Whole of Brigadier General Stibbert's Propositions into Resolutions of Council, and in consequence promoted 36 Captains to be Majors upon that Establishment.

And that the House may be competent to judge upon this Fact, Your Committee subjoin in this Place, the several Paragraphs of the Secret Letter from the Governor General and Council at Bengal, dated the 7th of January 1781, which contain the Reasons of the Council General for their Conduct.

“ Par. 15. The Provincial Commander in Chief, in the Persuasion that to derive from the na-
 “ tive Infantry of our Establishment those capital Advantages which can only result from exact
 “ Discipline, tempered with a strict Administration of the Rights of the Soldiery, it was positively
 “ necessary thoroughly to reform and new-model the Corps composing this Part of our Military
 “ Force, presented to us on the 26th ultimo a Series of Propositions, best calculated, according to
 “ his Judgment, for compassing so important and useful an End. These Propositions were accom-
 “ panied with figured Statements, exhibiting, as nearly as might be, the extraordinary Expence
 “ which would be incurred by the new Sepoy Establishments, and the Annual Saving which
 “ would accrue from the general Arrangements.

“ 16. The Letters which we have received from Brigadier General Stibbert on this Subject,
 “ and Copies of the Statements and Propositions accompanying them, are sent to you Numbers in
 “ this Dispatch. After maturely considering the Principles on which the Plan submitted to us was
 “ obviously founded; after measuring the Extent of the Advantages it promised to produce, and
 “ after satisfying ourselves that it united Economy and Utility, we delayed not, in the Conviction
 “ that the late Military Constitution of our native Infantry was pregnant with Defects which, unless
 “ timely corrected, threatened the most serious and alarming Consequences, to pass the Whole of
 “ General Stibbert's Propositions into Resolutions of our Council.

“ 17. We will here delineate, as far as may be necessary, the general Ground-work of this new
 “ Superstructure, marking the less obvious Motives of particular Regulations, and distinguishing, in
 “ a concise Manner, the Advantages they possess over former Institutions and Arrangements.

“ 18. The apparent Strength of the Battalions of the European Regiments being at all Times very
 “ inconsiderable (rarely exceeding 300 Rank and File) and their positive or effective Strength being
 “ frequently below 200 Men, the large Establishment of Officers annexed to these Corps appeared
 “ to be productive of an utterly irrequisite Expence, without yielding a single Advantage in a Mili-
 “ tary Point of View: Influenced by these Reflections, we made it our Request to General Stib-
 “ bert, to examine the Expediency of doubling up the Battalions of the Regiments: And accord-
 “ ingly we have had the Satisfaction of receiving his Concurrence in a Measure that, while it oc-
 “ casions in our Monthly Expences a Retrenchment of 37,186 Sonaut Rupees, furnishes us with a
 “ considerable Number of Officers towards completing our native Infantry on the new Establish-
 “ ment.

“ 19. Although the Commander in Chief has in the annexed Propositions inserted a Clause, ex-
 “ pressing, that when the Strength of the European Regiments shall exceed 762 Rank and File,
 “ they shall revert to their former Constitution (because in that Case the Corps would be too un-
 “ weildy for the Purpose of manœuvring with Celerity and Exactness) yet we must remark, that
 “ it is by no Means probable that we shall be reduced, during the Continuance of the War in
 “ Europe, to the Necessity of re-adopting this burthensome System on the Military Principle sug-
 “ gested;

“gested ; and that the Period at which alone such a Necessity is likely to occur, will be the best suited to its favourable and easy Operation.

“20. Having resolved, in consequence of the approaching Departure of a Division of our Army towards Madras, to augment our Military Force, we issued Orders for the raising of 6 new Battalions ; but the Commander in Chief having suggested to us the Expediency of new-modelling the native Infantry, and of applying an immediate and effectual Remedy to the Abuses which had crept into the Corps composing this Part of the Army, to the great Detriment of the Service, we thought proper to recall those Orders, and to signify to him that we were prepared to receive his Sentiments at large upon this important and interesting Subject ; when he accordingly presented to us the annexed Propositions, explaining them, as far as was requisite, in our Consultation of the 26th ultimo, at which he was present.

“21. As the Advantages of the new Sepoy Arrangements, as far as relates to the Purposes of manœuvring and disciplining the Corps, as well as to the Effects which may be produced on the Minds of the Country Powers by such an apparent Increase of the Number of Battalions on our Establishment, are fully set forth in General Stibbert's Letter to us of the 31st of October, we beg Leave to refer you to the same for his Arguments on these Heads ; which, we are to observe, had their due Weight with us. We must also request of you, to seek in the same Letter the Reasons adduced by him for abolishing the Office of native Commandant to the Sepoy Regiments ; in the Propriety of which we entirely acquiesced, as well as in the Expediency of the Regulation directing the native Adjutants to be made from Jamaudars (instead of Soubadars) with a View of preventing these Officers from succeeding to the dangerous Influence and Authority of the Commandants.

“22. At the same Time that, in order to the correcting of the Abuses which had crept into the Army, and which were of a Nature tending directly to the Destruction of the Corps composing it, it was become necessary to fix such Checks, and to establish such rigid Rules, with regard to mustering and paying the Sepoys, as should put it totally out of the Power of the Commanding Officers of Regiments to desire any Emoluments from their Corps, and thereby engage their Attention wholly to the disciplining of them ; it also became requisite to annex such Rank and Allowances to the Command of these Officers, as suited its Importance and the Length of their Services : For to have entirely excluded them from all Perquisites and Emoluments whatsoever, without advancing their Rank and Salary, would, supposing it possible to have established such a Regulation, have produced no other Consequence than that of rendering them to a Man disaffected to the Service ;—an Evil that must have necessarily been followed by an universal Relaxation of Discipline, for which the most violent Remedy would, under such Circumstances, be ineffectual.

“23. This Danger however is avoided, by granting, as we have done, advanced Rank and Allowances to the Officers commanding Regiments of Sepoys, who, no Doubt, will ere long be reconciled to the Reform, and, being disengaged from the Pursuit of other Objects, exert themselves more than ever in training and disciplining the Corps committed to their Charge.

“24. You will be satisfied, on examining the annexed Papers, that notwithstanding the great Increase of Field Officers and Captains consequent of the new Arrangements, there will still be an Annual Saving on the Whole, of near Three Lacks and a Half of Sonaut Rupees, after allowing for the actual Increase of Force gained to the Establishment. But as the Commander in Chief is aware that, exclusive of Pay and Batta, there may be some other Expences incurred by his Regulations, of which he has not taken any Notice, he does not rest their Propriety or Utility on the Head of Saving. He will be satisfied if they should not increase the Disbursements on the Army Account ; and though contrary to Appearances as well as to his Hope, they should add in a small Measure to the Military Burthen, he asserts himself confident that the beneficial Consequences which will in due Time result from them, will be abundantly more than adequate to the extraordinary Expenditure they may occasion.

“25. It is unnecessary for us to offer any Remarks on the other Parts of the annexed Regulations. We conceive that they will speak for themselves ; and we are particularly hopeful that the prescribed Forms for mustering and paying the native Troops, will convince you that it was our Design (in these Arrangements) to strike at the Root of every Abuse that could possibly affect either the good Order and Discipline of your Forces, or the Rights of the native Soldiery.”

And Your Committee find, that the Governor General and Council, in their Public Letter to the Court of Directors of the 30th of April 1781, Paragraph 49, say, “Our Letter to your Honourable Court of 7th January, now sent to you in Duplicate, made known to you the several Resolutions which we had thought proper to pass for reforming and new-modelling the Corps of native Infantry on this Establishment, and the other Military Regulations established at the same Time. We beg Leave to refer you to that Letter for the several Reasons and Arguments which hath induced us to adopt them ; and have only to acquaint you further upon this Subject, that the Promotions and Appointments consequent to the new Regulations, were passed on the First of January, and appear on our Proceedings of that Date.”

Your Committee here remark, that having ordered the above Proceedings of the First of January, 1781 to be laid before them, they find that those Proceedings have not yet been received at the India House, but they annex a List of the Field Officers of the Infantry and Cavalry.

LIST of Field Officers in Bengal on the 9th January 1781, as appears by the List delivered in to the Court of Directors by Major John Scott.

C. — Cavalry Officers.

Lieutenant General Sir Eyre Coote, Commander in Chief of the Forces in India.
Giles Stibbert, Brigadier General, Commander in Chief.

Colonels, 2.

Gilbert Ironside,
James Morgan.

Lieutenant Colonels, 14.

Samuel Hampton,
Sir John Cummings,
Grainger Muir,
J. Neville Parker,
John Tottingham,
William Blair,
Arthur Ahmuty,
Charles Morgan,
Alex^r Hannay,
John Stainforth,
A. T. Ahmuty — Cavalry.
Christian Knudson,
Jacob Camac,
C. Fisher — Invalids.

Majors, 51.

George B. Eyres — Cavalry:
John White,
Cha^s Ironside,
Horton Briscoe,
John Fullerton,
John Forbes,
John Edmondson,
Rob^t Blane,
Tho^s Breton,
William Jones,
Robert Kyd,
William Popham,
J. W. Crabb,
Benjⁿ Wroe — Cavalry.
Aⁿ Macpherson,
John Erskine,
Rob^t Stuart,
Ed^d Elliker,
S^t Showers,
Gab^l Johnson,
John M^cPherson,
F. Robertson,
E. Rawstone,
J. Wedderburne,
J. Landez,
Charles Ware,
Thomas Naylor,
W^m Cash,
Peter Grant,
Thomas Adderley,
H^r Wray,
S. Cockerell,
Ja^s Browne,
John Byrne,
Isaac Eaton,
Moses Crawford,
John M^cGowan,
Alex^r Hardy,

William

William Roberts,
S. Kilpatrick,
J. Lumisdaine,
William Duncan,
William Clode,
J. Henderson,
W^m McClary,
Alex^r Balfour,
M. Gilpin,
R^d Lucas,
Tho^s Scott,
Sⁿ Ramsay,
John Scott — resigned.

Your Committee request the Attention of the House to the Orders of the Court of Directors on this Subject, already recited, which limit the Number of Lieutenant Colonels of Infantry to Six, and Majors of Infantry to Nine, and positively forbid the Promotion of any Field Officer by the Governor General and Council. The House will perceive the Establishment now consists of 12 Lieutenant Colonels of Infantry, and 48 Majors; 36 of the latter were made by the Promotion of January 1781.

Before Your Committee concluded their Report on the Subject of Disobedience of the Company's Orders in the Promotion of Officers to superior Rank, they thought proper to insert the following Papers, which they just received.

Extract of Proceedings of the Board in the General, Revenue, and Inspection Departments, respecting Military Matters, from 1st November 1780 to 1st April 1781.

PROMOTIONS.

Dec. 30th 1780. Captain John Scott to the Rank of Major, with a Clause inserted in his Commission, declaring, that when the Officers who are now Seniors to Captain Scott, shall attain the Rank of Major, they shall resume their Precedence over him.

Jan. 5th 1781. Resolved, That the Vacancy occasioned in the List of Lieutenant Colonels on this Establishment, by Colonel Goddard's being appointed a Brigadier General, be supplied by the Promotion of Major Arthur Forbes Auchmuty, who is next in Succession to that Rank; that Major Auchmuty do take Rank in the Army as Lieutenant Colonel from the 14th November, but immediately above Lieutenant Colonel Duff, and in the Infantry from this Day.

Resolved, That Major Christian Knudson and Jacob Camac be promoted to the Rank of Lieutenant Colonels, to rank as such in the Army from this Day, and in the Infantry from the following Dates:

Lieutenant Colonel Knudson, from the 2d of January 1781.
D^o — — Camac — 3d — D^o — 1780.

Resolved, That the following Promotions do take place, for the Purpose of carrying into Effect the Military Arrangements which were passed on the 26th ultimo.

Captains advanced to the Rank of Major, to rank in the Army from this Day, and in the Infantry in the following Succession,

Allen Macpherson	to take Rank from	1st January 1781.
John Erskine	—	2d
Robert Stewart	—	3d
Edward Ellerker	—	4th
S. H. Showers	—	5th
Gabriel Johnson	—	6th
John Macpherson	—	7th
Francis Robertson	—	8th
Edward Rawstone	—	9th
John Wedderburne	—	10th
John Landy	—	11th
Charles Ware	—	12th
Thomas Naylor	—	13th
William Cooke	—	14th
Peter Grant	—	15th
Thomas Adderley	—	16th
Henry Wray	—	17th
John Cockerell	—	18th
James Browne	—	19th
John Byrn	—	20th
Isaac Eaton	—	21st

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Moses Crawford	—	—	22d
John M'Gowan	—	—	23d
Alex ^r Hardy	—	—	24th
W ^m M'Roberts	—	—	25th
Sam ^l Kilpatrick	—	—	26th
John Lumsdain	—	—	27th
William Duncan	—	—	28th
William Clode	—	—	29th
John Henderson	—	—	30th
W ^m M'Clary	—	—	31st
Arthur Balfour	—	—	1st February 1781.
Martin Gilpin	—	—	2d
Richard Lucas	—	—	3d
Thomas Scott	—	—	4th
Silvester Ramsay	—	—	5th

LIST of Captains senior to Captain John Scott, received per Swallow, 10th June 1782.

William Bruce,
James Crawford,
John M'Donald,
Richard Burton,
George Wright,
William Palmer,
Edward Clarke,
Christopher Gough,
James Buchanan,
Edward Curfey.

By this List, the House will perceive that the Governor and Council of Bengal, on the 30th December 1780, promoted Captain John Scott, Aid de Camp to the Governor General, to the Rank of Major, in direct Disobedience to the positive Orders of the Court of Directors, and thereby superseded Forty-six Captains who were his Seniors at the Time that Promotion took place; and as no Reason is assigned for this extraordinary Promotion, to the Prejudice of so many of his senior Officers, but on the contrary, it is declared in Major Scott's Commission, that when any Officers who were his Seniors shall attain the Rank of Major, they shall again resume their Precedence over him; and as Major Scott quitted India very soon after his Promotion, Your Committee are at a Loss to account for the Motive of the Governor General and Council's Disobedience of the Orders of the Directors, unless it was to give the Rank of Major to the Person whom the Governor General determined to send to England in the Character of his Agent.

Your Committee were on the Point of closing their Report upon the Subject of Disobedience of the Orders of the Court of Directors by the Governor General and Council, when they received the following Papers from the East India House.

Extract of Bengal Secret Consultations, the 27th April 1781.

Extract of a Letter from Sir Eyre Coote to the Governor General and Council, dated 1st March 1781.

The News-papers are replete with Promotions and new Arrangements in the Military on the Bengal Establishment, of which I am by Appointment the immediate Commander in Chief. I need not define how far my Powers rendered a Reference for my Approbation, if not my express Sanction, necessary to such Innovations; nevertheless, they have been framed, approved, and executed without being thus qualified, are now in Force without the least public Report having been made me of them. I protest against the Whole as irregular, unmilitary, and burthening the Honourable Company with an enormous additional Expence, which I am clearly satisfied there was no Necessity for incurring, and much less at a Time when the Company's Funds can so ill afford it.

There is yet one more Circumstance which appears to have attended these late military Innovations, and which, of all others, is the most immediately deserving of public Notice. By the List of Promotions, as inserted in the News-papers, many of the Officers who accompanied me from Bengal on the present Service, have not only been passed over in the common Rotation of Promotions, but have all, excepting one, been excluded in the Distribution of Commands, to which their Seniority

gave them an undoubted Right. I shall not, after what I have already said of the Indignities offered in other Respects to my Authority, enlarge upon the Addition furnished by the above Instance, although it is of all the most pointed against myself, and an Injury of that Complexion to the Officers who suffer by it, for which no Excuse can be alleged, unless it may be said, that by being in a most dangerous and difficult War, the Chance of returning to enjoy their Right is against them. In short, Gentlemen, I see so little Credit to be derived from acting in my Capacity of Commander in Chief in India, whilst its Powers and Privileges are liable to be wantonly arrogated by others, that I declare nothing but my Attachment for the Welfare of my Nation, and the very critical Situation of the English Interests in India, would delay a Moment in exonerating myself from a Charge so irksome and unthankful. Nor will I deny myself the Satisfaction of committing in this Place to record, that I ascribe the Whole of these late Encroachments upon the Rights of my Station to the Governor General, as he now unites in his own Person the whole Powers of Government, and who in his Public Character I had a Right to have expected far different Treatment from.

Ordered, That the above Letter lie for Consideration.

Extract of Bengal Secret Consultations, the 21st May 1781:

Read a Letter from Lieutenant General Sir Eyre Coote, recorded on the Proceedings of the 27th ultimo.

The Governor General acquaints the Board, That he has been informed by Brigadier General Stibbert, that Copies were regularly transmitted by him to Sir Eyre Coote, of the Military Arrangements passed on the 26th December; at all Events, whether this had or had not been the Case, such Communication was not due to the Commander in Chief from the Board. Reports and Returns are always made by the inferior to the superior Authority, not by the superior to the inferior; but upon Sir Eyre Coote's Principles, that Rule is entirely reversed.

Agreed, That the following Letter be written to Lieutenant General Sir Eyre Coote.

(Extract.)

Sir,

In a Letter which we lately wrote to you, we acknowledged our Receipt of yours of the 1st of March, which reached us on the 21st ultimo, and promised to reply to it as soon as the Ships under sailing Orders should be dispatched. As it did not contain any Matter requiring an immediate Reply for the Public Service, and could not but be unpleasing whenever received, we were not very solicitous to answer to it in the midst of more pressing Occupations, and now do it more in Compliance with official Rule than Inclination.

We are persuaded, upon a temperate Review of your Letter, you will not entirely approve the Spirit in which it has been written, or deem it incumbent upon us to conform in our Reply to the same Terms of Expression which you have been pleased to make use of to this Government.

Severe Animadversions upon Measures in which you have not a Concern, and for which you are not in the least responsible, and much more, such as had your express Participation, are as useless as the Impression which you seem to have received of an intended Injury done by us to your Character and Authority is mistaken and ill-founded; neither the Instructions given to Colonel Pearse, nor any other Acts of this Government, of which you think proper to complain, have been intended to invade your Character or Rights, nor can we understand by what Construction you have so understood them. On the contrary, the most conspicuous Instances have been afforded by us of our Desire to raise and advance both, by the great Efforts which we have made to enable you to follow your public Duties with Vigour and Success, and by making these the common and primary Object of almost the whole Business of our Administration.

Occupied as you have been in close Attention to an important Trust, which could not but employ all your Time and Care, we thought it would have been as incompatible with your Situation as with the Urgency of the Cases themselves, in every material Instance to have consulted you upon every military Arrangement, and especially such as were rendered immediately necessary to supply the Deficiencies occasioned by our extraordinary Exertions for the Support of the Carnatic; and it would have been as derogatory from the Authority which we possess, to have made Reports of them to you; this was the Province of the actual Commander in Chief of the Forces on this Establishment; and from him we understand that he took an early Occasion to transmit Copy of those of the 26th December, to which we suppose your Letter alludes.

Your Protest against Orders and Arrangements which have passed under your Authority, in which you had no Concern, nor could be allowed an effective Voice, and which you profess not to have seen, is in its Nature invalid; yet we are sorry to see it recorded on our Proceedings, and much more so to see it coloured with such Marks of personal Displeasure, because we wish, on all Occasions, not only to yield you our most cordial Support and Confidence, but that you may be impressed with a true Sense of it, and equally with that Confidence in our Disposition towards you, which is necessary to our mutual and effectual Co-operation.

We have made our Answer to your Letter as short as possible; we hope that there will be no further Occasion for a Correspondence of this Nature, assuring you on our Part we will afford no Cause for it, and are determined to have very little Share in it.

Extract

Extract of Bengal Secret Consultations, the 7th September 1781.

Extract of a Letter from Sir Eyre Coote to the Governor General and Council; dated Choultry Plain, 30th July 1781.

Although an Attention to the Dispatch of the Ships under sailing Orders induced you to postpone the Answer you have since been pleased to favour me with in reply to my Letter of the 1st March, I trust that you did not on that Account also deny it the then Opportunity of appearing before our Superiors, even with all its Faults; as, however much I may have mistaken my Province, in expostulating at this Distance on Acts of that Government whereof I am myself a Member, possessing a separate Trust, which they tend to affect, I am convinced I have not, by so doing, failed in my Duty to my Honourable Employers, or in a proper Sense of Regard to their real Interests in the Department which they have done me the Honour to commit to my express Superintendence. What other possible End could the Honourable Company propose to themselves, in the Appointment of a Commander in Chief of all their Forces in India, unless to manage and regulate their Military Department? That such must have been their View in particular, is, I apprehend, strikingly evinced by the Provision they have made for his having a Voice in the Select Committee at each of their Presidencies.

With the Approach of Colonel Pearce's Detachment, the Evils which were so obvious from the late extraordinary Promotion in the Military Establishment at your Presidency, also begin to approach. Remonstrances, replete with Representations of Hardships and Grievances to be suffered by Supercession in Command on the Junction of the Bengal Detachment, are sent me daily by the Officers belonging to this Establishment. They rest their Pretensions to Redress upon their great Length of Services, even as far as Seven Years more than many by whom they will now be commanded; and upon that equitable Rule of Seniority, whereby the Advancement of Rank has hitherto been determined. Sensible that they have experienced an Injury, as what has happened to their irreparable Prejudice has not been the Consequence of the common Casualties of Service, but the Result of a Measure unusual, unmilitary, and unconstitutional, I cannot but feel for their Situation; which I the more lament, conscious that it ought to have fallen to my Lot to have obviated, what my every Desire now to remedy cannot retrieve, unless I were to countenance a similar Measure in this Government, which in Justice to myself, to the Station I fill, and to my Employers, has obliged me to express my Disapprobation of in yours.

I beg to be understood, that in whatever Sentiments I may communicate to your Government, on Subjects entirely Military, I mean not at this Distance to contend any Points which you may have thought proper to decide upon in that Line; at the same Time, I should hold myself highly culpable in the Eyes of my King and Country, if, by passing over them in Silence, I gave room for the Conclusion, that they had been determined with my Approbation.

Ordered that the above Letter lie for Consideration.

Extract of Bengal Secret Consultations, the 5th November 1781.

Extract of a Letter from the Governor General to the Board; dated Benares, the 22d October 1781.

I have read with Satisfaction Sir Eyre Coote's Letter to the Board of the 30th of July. Even those Parts of it which contain an implied Censure on our Measures, the Language of it differs widely from the Terms of that, which we had so much Reason to complain of, in his Letter of the 1st of March: It is liberal, and such as becomes a Man of Character and Station. I am now fixed in an Opinion, which I before entertained, if not expressed to the Board, that the Ground of his unpleasant Differences with us, as apparent in the Course of his Correspondence from the Time of his Arrival on the Coast, is the Formation of the Military Regulations which we passed in the Beginning of this Year, and which he seems to think were framed from Motives of personal Hostility to him, and, without sufficient Reason, purposely to overset those we had passed at his Recommendation in August 1779. Although I cannot suppose such an Idea to exist with the Honourable Court of Directors, or that they can attribute such Motives to our Actions, since it does not appear in what Way they can either affect his Reputation or Interest, if regarded in a vindictive Light, and are too interesting to our own Credit in the Consequences, to have been undertaken without a strong Conviction of their Necessity; yet, as the Reasons for the Measure may not have been completely before them, or may be lightly remembered when these Strictures upon them are read, I must beg the Board's Permission to repeat in this Place, what I have before declared on our Records, and what is sufficiently apparent to any one who will give an impartial Consideration to the Subject, that these Regulations were framed to answer an immediate Exigency of the Public Service, and were resolved on in a State of Affairs very different from that which existed when I gave my Consent to passing those recommended in 1779 by Sir Eyre Coote. The Board will recollect, that when we resolved to detach the Forces under Colonel Pearse to the Coast of Coromandel, the Measure was founded on

a particular Request made to us by the General himself, before he took his Departure from Bengal; and that at the same Time we knew how serviceable such a Reinforcement would be to his Operations on the Coast, the Dangers with which our own Provinces were then threatened by the Neighbourhood of the Berar Army to their Borders, the Effects which a Fear of Invasion might naturally be supposed to have upon the Minds of the timid People of Bengal, and above all, the Consequences that might be expected to arise from the Intrigues of Hyder's Agents with the Country Powers, considerably assisted by his great Success in the Carnatic; so large a Force could ill be spared from the Company's Possessions in this Part of India. It was at the same Time, I believe, within the private Knowledge of the Members of the Board, that even our reduced Force was not actually such as it appeared on the Returns: I mean to say, that had we required instant Service for the Numbers which stood on the Returns, we should have been greatly disappointed. Such was the Practice of the Service, founded upon a very reproachful Custom; and all our Efforts, in the Trial of various and repeated Expedients, to suppress it, had hitherto proved ineffectual. In such a Situation, it became not only absolutely necessary that new Levies should be raised to supply the Loss which we should suffer from the March of Colonel Pearse's Detachment to the Coast, but that the nominal Strength of our Forces should also be its real one. Regulations were accordingly proposed by Brigadier General Stibbert, and resolved on by us, to effect so desirable an End. An Increase of Numbers, adequate to the Loss of Colonel Pearse's Detachment, was to take place, and the Subaltern Officers of the several Companies of the Battalions were separately entrusted with the Pay and Muster of their Corps; and, by the Duties prescribed to them, were made, as far as the Good of the Service would allow, and without intruding on the Authority necessarily vested in their Commanding Officers, a Check upon their Captains. More was yet thought politic and expedient: At the same Time that we resolved upon Measures for maintaining a large Force fit for Duty whenever called on, and on which we might always depend, we determined to increase the Number of our Battalions to a Thousand Men. This Body was called a Regiment, and the Regiment divided into Battalions of 500 Men each. This Diminution of Strength in each Battalion, as it stood on the former Establishment, if known, would appear of little Moment in the Eyes of the Country Powers; and an Augmentation of the Number of our Battalions would impress them with the Awe of an increased Army. Having admitted no private Advantages whatever, and something more than the common Pay of the Rank of Captain being thought due to the Officers commanding so large a Corps as a Regiment of One thousand Men, we resolved on a general Promotion, giving the Commands of the Regiments to Majors, and, by affording them the Pay of that Rank and some other Advantages, placing them above the Necessity or Desire of taking Profits, which we wished to annul. I will add for myself, that I was influenced in giving my Concurrence in the Measure (and I believe that Mr. Wheler was so likewise) by a Desire of shewing some Distinction to a Number of deserving Men, whose Exertions for the Public Service might soon become peculiarly necessary, and who would naturally feel a greater Zeal to do Credit to their Profession when they found themselves placed in higher and more responsible Stations, than if they continued undistinguished in lower ones. This Alteration in our Establishment, separately considered, would of course be attended with some Increase of Charge; but it makes a Part only of a general Regulation, which provides a large Augmentation of Force, yet makes the Expence of the whole Army less than it was upon its former Footing. In asserting this, I am warranted by the Estimates delivered in to us by General Stibbert on the 26th December last, when the new Regulations were under Consideration. The new Regulations being in Force before Colonel Pearse's Detachment went away, it, with the rest of our Army, was modelled by them: It partook with it of the same general Benefit as to nominal Strength, and indeed received some Increase of its former Numbers; for, to make the Arrangement good, we added some Companies, and sent to the General's Assistance a Detachment of Five Regiments of 1,000 Men, instead of Six Battalions of 800. If the Officers on the Madras Establishment have been Sufferers by an Arrangement which the Public Service in this Country has made necessary, I will not censure them for complaining; but I must attribute the Cause to the Measure of breaking our Detachment, and dividing it among the Sepoy Corps of the Madras Establishment; which, however necessary in the Judgment of the Commander in Chief, I recollect to be contrary to the Instructions of this Government, communicated to him when the Detachment moved from our Provinces.

I observe, That Sir Eyre Coote remarks on the Staff allowed to a Major of Colonel Pearse's Detachment, and thenceforth thinks it fit to reflect on the unnecessary Expence which we have permitted to be incurred in the Charges of that Corps. The only Major of Colonel Pearse's Detachment who had a Staff, was Major Edmonson, expressly appointed Second in Command of it. It has been always usual, I believe, for the Second in Command of so large a Force, to have the Staff which was allowed to Major Edmonson; but it was not intended, nor was it necessary, that it should be continued to him longer than he held that Station, and therefore, when he no more was Second in Command, as would be the Case when a Junction was effected between the Detachment and the main Army, he of course would lose the Rights and Properties of the Office.

Your Committee cannot in this Place avoid recommending, in a particular Manner, to the Attention of this House, the Protest of Sir Eyre Coote, Commander in Chief of the Forces in India, against those Military Arrangements which have in Part been the Subject of this Report; and they must also observe to the House, that although this Protest was dated Madras, 1st March 1781, and

and appears on the Bengal Consultations of 27th February 1781, yet it does not appear that it was transmitted to the Court of Directors until the latter End of December 1781.

Mr. Francis having stated to Your Committee, That the Company's Orders relative to the Re-instatement of Mr. Rowke and the Restoration of Mahomed Reza Cawn, were at length carried into Execution by his personal Interposition with the Governor General; he was repeatedly desired by Your Committee to explain to them what he meant by his personal Interposition? He referred Your Committee to sundry Papers annexed to his Letter of the 12th October 1780, to the Court of Directors, as containing a full Account of the Transactions betwixt him and Mr. Hastings, which began with an Accommodation and terminated in a personal Difference, of which the Court of Directors had been informed; and he therefore requested that the Committee would rather refer to those Papers than to his Personal Evidence on this Question.

Your Committee then examined the Papers referred to by Mr. Francis; and find, that in a Minute he delivered in Council, dated 11th September 1780, he calls upon the Governor General in the following Words: "If in the Accommodation which took place, any Thing was done or proposed by me for my Advantage, directly or indirectly, or if any Thing was done or proposed for the Advantage of any other Person whatsoever, beyond what was publicly known and avowed (I mean the Re-instatement of Mahomed Reza Cawn, Mr. Rowke, and Mr. Bristow, in Conformity to the Company's Orders) I call upon him to declare it. That of Mr. Bristow's was the only Point of the Three which I yielded to suspend until the Month of October, or until the first Advices of the Season from the Court of Directors."

Your Committee cannot pass over without Observation, a Matter which materially affects not only the Independence of the Individual Members of the Council General, the Decorum and Dignity which ought to be scrupulously preserved by those who are in such Stations, but endangers the very Existence of the established Government of India, when the first executive Officers of Government, unmindful of their great Public Trust, so far forget the Duties of their Stations as to decide by Arms their Political Differences of Opinion on Matters of State. Your Committee think it their Duty to call, in the most particular Manner, for the Attention of the House to those Papers which explain the Rise and Progress of this extraordinary Event, and which are inserted in the Appendix N^o 11.

Your Committee will close this Report with earnestly recommending to the serious Attention of the House, the following Extract of a Letter from Sir Eyre Coote to the Court of Directors, dated at Fort Saint George, the 29th January 1782.

"Since my Departure from Bengal, the Military Arrangements of that Establishment, and which I had formed with so much Labour and Attention to the Company's Interests, and what appeared to me best calculated to promote good Order and Discipline, and to ensure to them the Utility of that important Department of their Service, have, under the Wisdom and Authority of the Governor General, undergone a total Change, and upon such a Plan as has nor can answer no one good Purpose; unless having entailed upon the Company's already much-exhausted Finances, a heavy and burthensome additional Expence, can be considered as such. Subversive as they have been of all Military Order, and destructive of every Idea of real Service, it is impossible for me to charge myself with that Share of Responsibility which is inseparable from the Station I fill of Commander in Chief in India. The swelling of the Bengal Military List with the Creation of such a Number of Field Officers, and the Advancement of the inferior Rank in Proportion, has been productive of a Grievance severely felt by the Company's old and experienced Officers on this as well as on the Bombay Establishment, as acting as they are upon the same Services, it has been attended with all the Hardships incident to Supercession. The Officers also in His Majesty's Service, whilst acting in this Country, suffer from this new Arrangement: The Sentiments I delivered to the Governor General and Council on that Subject are contained in my Letter to them of the 1st March.

"I cannot however bring this Epistle to a Conclusion without remarking on the late extraordinary Excursion of the Governor General to the Upper Provinces of Bengal; and on the still more extraordinary and unaccountable Measure of appointing himself Commander in Chief of the Army: How he has conducted himself in that Capacity, will become known to you by the Accounts from the Bengal Government. When I first heard of the Rebellion at Benares, I felt the most sensible Anxiety, seeing it as I did, big with Consequences which would unavoidably have struck at the very Root of our Existence in Bengal, and thereby have destroyed the only remaining Pillar to the British Interests in India: Had the Contagion extended itself to our more interior Possessions, I fear, that in the then Disposition of the Bengal Army, it would have become formidable to a Degree far beyond our Ability to suppress. I consider it then in a Light of the greatest good Fortune that the Evil received so early a Check, and rejoice most sincerely that it was brought to so favourable a Crisis. I cannot, however, banish from my Recollection the unhappy Omission of not furnishing the Guard that arrested the Rajah with Ammunition; and to which I believe may in a great Measure

" Measure be ascribed all the subsequent Misfortunes which ensued. It is an Occurrence the more to
 " be wondered at, possessing, as Mr. Hastings, and I suppose every other Person there, did, a previous
 " Knowledge of the Rajah's contumelious Temper, and having, as appears from what has been
 " since declared, a confirmed Suspicion of his Attachment to the English Government; if any Thing
 " could awaken Minds to Caution, surely Symptoms so strikingly alarming as these ought to have
 " had the Effect."

...the Committee will also think it necessary to recommend to the House of Commons
 of the House, the following Bill, or a Bill from the Court of Directors,
 and a Bill from the Court of Directors, the 27th January 1784.

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A P P E N D I X.

N^o 1:

Extract of Letter from the Court of Directors to the Governor and Council of Bombay, dated 31st March 1769.

Par. 41. **T**HE opening a Negotiation with the Marattas, was a very proper Measure; and Mr. Mostyn acquitted himself therein highly to our Satisfaction.

42. The Demands made on them in Return for the Advantages they were to expect from our Successes against Hyder Ally, were also very proper; Salsette and Bassein, with their Dependencies, and the Marattas Proportion of the Surat Revenues, were all that we seek for on that Side of India.

43. These are the Objects you are to have in View in all your Treaties, Negotiations, and Military Operations, and that you must be ever watchful to obtain, always attentive to convince the Country Powers, these are and ever will be the utmost Limits of our Views on the Western Side of India.

A P P E N D I X, N^o 2.

Extract of the General Letter from the Court of Directors to the President and Council of Bombay, dated the 12th Day of April 1775.

Par. 53. **I**T is with much Concern we learn from your Records, that we are not likely to obtain Salsette from the Marattas by Negotiation; we however disapprove your Resolution to take Possession of that Island by Force, in case of the Death or Deposition of Ragoba; and hereby positively prohibit you from attempting that Measure, under any Circumstances whatever, without our Permission first obtained for that Purpose.

A P P E N D I X, N^o 3.

PROCEEDINGS RESPECTING MR. JOHN BRISTOW.

X I D N E P A
(A)

Extract of Secret Consultations, Fort William, 15th December 1774.

AS the Commission originally granted to Colonel Galliez was only for a temporary Purpose, and as the Board have already agreed to appoint a Civil Servant of the Company as Resident at the Vizier's Court, the Governor General proposes to the Board, that they should now make this Appointment; as it is evident, that were the Person who may be so appointed to proceed immediately, in case the Vizier complies with Colonel Galliez's Demands, the Colonel's Commission must be expired before the new Resident could arrive there.

Agreed, That the Governor General's Proposal be deferred for Consideration until Monday next.

(B)

Extract of Secret Consultations, Fort William, 21st December 1774.

Resumed the Consideration of the Governor General's Proposal, deferred for Consideration from the 15th Instant.

The Governor General gives in the following Minute:

The Governor General, conceiving that the Reasons assigned for Mr. Middleton's Recall from his Station of Resident at the Court of the Vizier, will of course operate to preclude him from the Nomination now before the Board, moves, That the Honourable Mr. Frederick Stuart be nominated to the Office of Resident at the Court of the Vizier, and Agent on the Part of this Government.

In making this Proposition, the Governor is in Part influenced by One Consideration, which at any other Time, or on any other Occasion, would have had little Share in directing his Judgment. His Estimation of Mr. Stuart's Abilities and Judgment is very high; but he considers that at this particular Time the Connections of Mr. Stuart, and the Opinions commonly entertained of the Dignity and Credit of his Family, will have greater Weight on the Mind of the Vizier, (whose Pride and Ambition are his predominant Qualities, and whose Fears may be alarmed by the late Measures of this Government, which, for want of a due Knowledge of the Motives that produce them, he may conceive to proceed from a Disposition in this Administration adverse to him and to the Engagements subsisting between him and the Company) than any other Qualifications which might fall to that of the Person who might be entrusted with the Charge of the Negotiations between him and this Government, and thereby keep him steady in his Attachment to the Company, and punctual to his pecuniary Engagements, which at this Time are the chief Objects of our Concerns with him.

For Mr. Stuart's Assistance in the Discharge of this Trust, which, from the Variety of Accounts now depending with the Vizier, and from the Probability of other incidental Affairs which may occupy his Attention, is likely to be a laborious one, the Governor General proposes that Sir John D'Oyly be appointed to accompany him in the Quality of his Assistant; for which Office he is peculiarly qualified by an ample Acquaintance with the Persian Language, having, since the Absence of Mr. Redfearn, the Persian Translator, whose Assistant he now is, transacted all the Business of that Office with much Ability and Assiduity.

(Signed) W. H.

Mr. Francis delivers in the following Minute on the Governor's Question:

Before I give my Answer to the Governor General's Proposition, I beg Leave to observe upon the Minute with which it is introduced, that when I gave my Voice for the Recall of Mr. Middleton, it was not upon the Idea of any Offence or Demerit in him; I had no Reason to think personally ill of him at that Time; I have Reason to think personally well of him at present; my Ground was public; I understood that he was the Public Resident of the Company at the Vizier's Court; I

asked

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A P P E N D I X, N° 3. (B)

asked to see the Whole of his Correspondence with this Government; I was then told that he was the private Agent of the Governor, who refused to communicate the Whole of his Correspondence to the Board. I thought that an Office of that Nature should not be continued, and that the Person who held it ought to be recalled to the Settlement, in order that the Board might obtain from him those Explanations which were refused by the Governor. If his Conduct in this Respect should prove satisfactory to the Board, I should think him a very proper Person, from all that I have heard of his private Character and seen of his Proceedings, to come under the favourable Consideration of the Board for the Office of Public Resident. As the Governor General however has proposed that the Appointment should be immediately made, and as the Necessity of the immediate Appointment has been repeatedly urged to the Board, I yield to the Governor's Proposal to have it determined this Day. I mean not to agree to the Nomination of a Resident proposed by the Governor General, for affirmative Reasons, which I think ought to influence my Judgment in this important Choice. My Respect for Mr. F. Stuart however, and for those high Connections which he has in England, oblige me to say, that if I do not accede to the present Nomination, it is not owing to any personal Disrespect to him, or Inattention to them; on the contrary, I should think myself happy in having an Opportunity, where the Public Service did not in my Judgment require from me more than barely having an Objection, to shew him the real Respect I feel for his Person and high Family. This Voice of course includes a Negative to the Nomination of Sir John D'Oyly, whose Assistance otherwise I do not doubt would have been indispensably necessary to Mr. Stuart, in the Knowledge and Use of the Persian Language.

(Signed) P. Francis.

Mr. Barwell declares his Sentiments as follows:

I am for the Nomination of Mr. Stuart. Independent of those Particulars which have Weight with the Governor General, from a long Residence in the Country, I have had Opportunities of becoming acquainted with all the Servants of the Company; and from my Knowledge of the Service, I can venture to affirm there is not a single Character in it that can boast superior natural Talents to Mr. Stuart: And if the Consideration alone, of understanding the Persian Language, is to sway in Appointments of Importance, and where it is more absolutely requisite than in a subordinate Sphere, it is an Objection against the first Characters of the Settlement, and incapacitates them from all political Intercourses. For these Reasons, I do sincerely and heartily wish, for the Promotion of the Public Service, that Mr. Stuart should be appointed Resident at the Vizier's Court, and Sir John D'Oyly his Assistant.

Colonel Monson's Opinion; viz.

My Motives for giving my Opinion for the Recall of Mr. Middleton from the Vizier's Court, did not arise from any Disrespect to him; but, considering him as a Person in a Public Character, I thought his Correspondence necessary for the Inspection of this Board; and as that was denied, I judged proper to give my Opinion for his Recall. With regard to Mr. Stuart, the Gentleman now proposed to be his Successor, I respect him as a Man of distinguished Rank; his Abilities I honour, as they are represented by the Governor General and Mr. Barwell to be of an extraordinary Extent; these Considerations have their due Consequence with me: But when I reflect that Mr. Stuart has not as yet appeared in any Public Character, I must consider him at present as a Person improper for this weighty Charge, which has for its Object the cementing of the Friendship between the Company and the Vizier, and the obtaining large Sums of Money said to be due from him; and therefore I must refuse my Assent to the Governor's Proposal.

General Clavering delivers his Opinion in the following Words:

It having been determined by the Board to recall Mr. Middleton, for Reasons that have been so properly assigned both by Colonel Monson and Mr. Francis, it now only rests with us to consider the Propriety of the Governor General's Recommendation of the Honourable Mr. Frederick Stuart for this Appointment: In which Nomination, however desirous I am of shewing my personal Regard for this Gentleman, and my Respect for his Family, I think it my Duty only to consider the Fitness of the Person to take Charge of so great a Trust as will be reposed in him; and as I have another Person in my Eye, whom I imagine the Board will deem fitter for such an Employment, from his general Knowledge of Business, and his particular Acquaintance with the Persian Language, I am under the Necessity of giving my Negative to the Governor General's Proposition.

Resolved by the Majority of the Board, that the Governor General's Proposition be not agreed to.

General Clavering now proposes, that Mr. John Bristow be appointed Resident at the Vizier's Court, as qualified for it from his general Knowledge of Business, and his particular Acquaintance with the Persian Language.

The Governor General objects to this Proposition, because, in his Judgment, Mr. Bristow is not qualified for the Office neither by his Knowledge of the Persian Language, nor by any distinguished Abilities.

Agreed, that the Question above proposed by General Clavering be put.

A P P E N D I X, N^o 3. (B) (C) (D)

Mr. Francis delivers the following Reply :

I am happy in hearing a Gentleman named for this high Office, to whose Appointment I can safely give a positive Approbation. I know him to be a Man of Sense, Industry, and Judgment; I have positive Reasons to think that he understands the Persian Language, as well from the Assistance he has favoured me with in the Letters I have received and answered, as from his public Office of Translator to the Khalsa; this Office implies Knowledge of Business, Knowledge of Accounts, and Knowledge of Language. I do not insist upon his English Connections, though in this Respect few Gentlemen are better connected than Mr. Bristow.

I agree to the Proposition.

(Signed) P. Francis.

I beg Leave to explain to the Board, that by the Word *positive*, used in this Minute, I mean no more than a Contradistinction to *negative*, which I had used in my former Minute.

(Signed) P. Francis.

Mr. Barwell—I cannot assent to the Nomination of Mr. Bristow, for the following Reasons :

Because I think when a Proposition from the Chair is over-ruled, there ought to be very good Grounds for such a Measure; the Preference given to the General's Nomination undoubtedly speaks Inattention to the Governor; besides, in this Particular I think the Governor should have been considered, as he is, the Channel of Public Correspondence, and should be supported at the Head of this Government in the Eyes of the Princes of India. This Character he will scarcely maintain, if a Gentleman in Opposition to his Sentiments goes the Public Agent to the Court of the Vizier.

(Signed) R. B.

Colonel Monson—I assent to the General's Nomination, as I suppose Mr. Bristow to be a Person qualified for the Trust from the Station which he now fills.

The Governor General dissents from the Proposition.

Agreed, by a Majority of the Board, that Mr. Bristow be appointed Resident at the Court of Sujah Dowla.

Mr. Francis moves, that the Resident at the Vizier's Court be allowed an Assistant out of the Company's covenanted Servants.

Agreed, That an Assistant be allowed him accordingly.

(C)

Extract of Secret Consultations, Fort William, 28th December 1774.

Mr. Francis moves, That suitable Appointments be settled for the Support of the Company's Resident at the Court of the Vizier, and a Salary for his Assistant.—The Board will undoubtedly take into their Consideration the Rank and Importance of the Office, and the extraordinary Expence which must necessarily attend its being supported with Credit and Propriety. Mr. Francis begs leave to observe further, that as this is an Appointment of a Public Minister on the Part of the Company to the Vizier, it will be highly expedient that his Rank and Character should be supported with Dignity, as well for the Honour of the East India Company, as to give Weight and ensure Success to his Negotiations. Mr. Francis further moves, That a Draught of Instructions to Mr. Bristow be forthwith prepared by the Secretary, and submitted to the Board; and that Mr. Bristow may have Access to such of the Papers and Records in the Secretary's Office, as have Relation to the Affairs of the Company in their Political Connection with the Vizier, or which may otherwise be necessary for Mr. Bristow's Information.

Agreed, That Mr. Bristow have the same Appointments and Allowances, as Resident at the Vizier's Court, which were granted to Mr. Middleton in that Station, viz. One thousand Sicca Rupees per Menssem, and Captain's Double Batta in lieu of travelling Charges.

Agreed, That for the Present, the Appointment of an Assistant to Mr. Bristow be deferred; but that in the mean Time he be allowed Two hundred Rupees per Month for a Secretary, with Captain's Double Batta for his travelling Charges.

(D)

Extract of Letter from the Governor General and Council of Fort William, in their Secret Department; dated 4th January 1775; received in London 18th July 1775.

Par. 5. It having been resolved that a fixed Resident at the Court of the Vizier should be appointed from the Company's Civil Servants, the Governor General lately thought fit to propose the Honourable

A P P E N D I X, N° 3. (D) (E)

able Frederick Stuart for that Trust; but the Governor General's Proposition was not agreed to. Mr. Bristow being afterwards proposed by the General; and this Proposal obtaining the Concurrence of the Board, he was appointed accordingly, with a Salary and Allowances similar to what Mr. Middleton enjoyed in the Employment which he held at that Court.

(E)

Extract of the Proceedings of the Governor General and Council of Bengal, in the Secret Department, the 2d December 1776.

The Governor General moves, That Mr. John Bristow be recalled from the Court of the Nabob of Oude, and that Mr. Nathaniel Middleton be restored to the Appointment of Resident at that Court.

Mr. Francis—I beg Leave to ask the Governor General, Whether he means the same Office which Mr. Middleton before held at that Court, which I think the Word “restore,” seems to imply?

Governor General—I do not, in the Sense in which Mr. Francis seems to understand it; the Court of Directors having expressed their Disapprobation of the Channel through which he was to receive his Instructions, that is no Part of my present Proposal; but that I may not be misunderstood, I beg leave to correct my Motion, and to propose, which is in Effect only what I meant by the preceding, That Mr. Bristow be recalled from the Court of the Nabob of Oude, and that Mr. Nathaniel Middleton be restored to the Appointment of Resident at that Court, subject to the Orders and Authority of the Governor General and Council.

Mr. Francis—My Determination to withdraw myself from an unavailing Contest with the present Majority of the Board, does not depend on any Act of theirs; Motives of personal Interest or Animosity did not dictate to me the Line which I have hitherto followed in Public Affairs, nor shall they have any Influence over my future Conduct.

Without affecting to conceal my own immediate Sense of the Injustice done to Mr. Bristow, I need look no where but to the Measure itself for Arguments to oppose it; a Proposition to remove him from a Situation he has filled with distinguished Credit to himself and Advantage to the Company, and for no other avowed Reason, but to give his Place to another, is open to Objections too serious and important in a public View, to be mixed with any Consideration of the personal Concern which I may receive from it. Having already mentioned them at the Board, I shall content myself with giving a Negative to the Question, reserving a more formal Declaration of my Opinion on the whole Subject, for a Dissent to the Resolution, which I take for granted will follow the Motion.

(Signed)

Philip Francis.

Mr. Barwell—I assent to the Motion, because I think it a Justice due to Mr. Middleton, and what the Governor General could not avoid taking the first Opportunity of effecting. I have not the least personal Objection to Mr. Bristow; so very far from it, that did I not conceive it would be prolonging the Injury already done to Mr Middleton, to keep that Gentleman in the Station to which he was advanced on the Removal of Mr. Middleton, I should have been glad to have had him still employed; but I cannot indulge the Wish I have to serve Mr. Bristow, at the Expence of what I conceive the Rights of another.

General Clavering—The Motion before the Board comprehends Two Questions, the Removal of Mr. Bristow, and the restoring Mr. Middleton to the Office of Resident at the Vizier's Court. To enable me to give my Opinion on the First, I must beg the Favour of the Governor General to inform the Board of his Charge against Mr. Bristow, and the Faults which he has committed, that have induced him to make the present Motion for Mr. Bristow's Recall.

Governor General—I bring no Charge against Mr. Bristow, I do not accuse him of any Faults; I know of no Charge that was produced against Mr. Middleton, when he was removed. The Majority of the Board thought it proper at that Time to remove the Public Minister at the Court of the Nabob of Oude, who had received his Nomination from me, and to appoint another in his stead, in whom they had a Confidence. Highly as I esteem the Merits of Mr. Middleton, I will not bring them into an invidious Comparison with those of Mr. Bristow, whom, though totally unknown to me but by his Public Character, I esteem. I have a greater Confidence in Mr. Middleton; and as the Responsibility of all Public Measures, that has been pointedly thrown upon myself and Mr. Barwell, in the numerous Dissents and Protests which have been recorded during the Course of the Two last Months, I claim the Right belonging to that Responsibility, and, constitutionally to the Office which I fill, as the Head and executive Member of this Government, to chuse the Means and Instruments by which it may be exercised, and in the most effectual Manner, for the Good of the Service and the Credit of those who are invested with the Charge of it.

A P P E N D I X, N^o 3. (E)

General Clavering—I am satisfied with the Answer that the Governor General has given, that he brings no Charge against Mr. Bristow, nor does he accuse him of any Fault. This Declaration will be at least some Consolation to Mr. Bristow and his Friends, and will shew the Court of Directors, that he has not exercised the Trust which has been reposed in him, even in the Governor General's Opinion, unworthily. The Governor General is pleased to say, that he knew of no Charge that was produced against Mr. Middleton when he was recalled; but it is impossible that he can have forgot the Reasons that were assigned for it. It appears in the Consultation 26th October 1774, that the Governor General, having refused to deliver up the Whole of his Correspondence with Mr. Middleton, the Question was proposed and put, That that Gentleman should not be continued at the Nabob's Court any longer; and he was accordingly ordered to withdraw from that Court, and to bring the Whole of his Correspondence with him. The Court of Directors have had this Subject very fully before them; and in their Letter 15th December 1775, they were pleased to disapprove of the independant and separate Authority which had been delegated to the Governor General, and afterwards to express their Disapprobation that any Part of Mr. Middleton's Correspondence had been withheld from the Perusal of the Supreme Council. The Board did not consider Mr. Middleton as a Public Minister, the Term which the Governor General now gives to him, but his own Agent, as he avowedly was acknowledged, both by the Governor General himself, and by Mr. Middleton on his Return to the Presidency; who, in his Letter, recorded the 6th February 1775, declares, That he conceives himself not to be authorized to make any Communication of his Correspondence with the late President, without his express Commands. Such were the Reasons which the late Majority of the Board assigned for the Recall of Mr. Middleton. As no Fault, nor Imputation of Fault or Neglect, is alleged for the proposed Recall of Mr. Bristow, I cannot but object to it as a most unjust and unwarrantable Proceeding. If the Governor General will think proper to defer his Motion till after the Arrival of the Eagle Packet, which may be now hourly expected, it is more than probable that we shall have further Lights than have been hitherto given to us, of the Sentiments of the Court of Directors, both on Mr. Middleton's Recall and on Mr. Bristow's Appointment to the Vizier's Court; I would therefore, with the Governor General's Consent, beg Leave to propose, that this Motion be deferred till after the Arrival of that Ship.

Governor General—I think it a Duty incumbent on me to adhere to my Motion. I will not take up the Time of the Board by answering the Objections which have been made to it at this Time, having other Questions which I wish to propose immediately for their Determination.

Mr. Francis—I think General Clavering's Proposal in every Respect reasonable and expedient. If the Instructions which we may receive by the Eagle Packet should make no Alterations in the Circumstances or Measures of this Government, it will always be open to the Governor General to pursue his present Plan; the Difference of Time cannot be considerable; but if such Instructions as this Board have some Reason to expect should arrive, they cannot but produce the immediate Reversal of the present Resolution; and in that case it will have served no Purpose whatsoever, either public or private.

Governor General—I would willingly wait for the Arrival of the Eagle Packet, if I thought it was probable that she was on her Road; I have already waited to this Time, in the Expectation of decisive Advices from England; but I repeat, that, charged as I am, pointedly charged, with the Responsibility of Public Affairs, it is my Duty to avail myself of such Means as may enable me to conduct them for the Public Good and my own Credit. I have Intelligence which convinces me, that no Public Measure of any Consequence respecting this Government, could have taken place in England so late as the Month of June last; this News, though not of official Authority, is come to me sufficiently authenticated for my own internal Conviction. I must therefore object to the General's Motion.

Mr. Barwell—The Governor General having declined to withdraw his Motion, and the Opinion I have already given being direct to the Governor's Motion, it precludes my saying any Thing to the General.

General Clavering—I am concerned that a Motion which I have made to prevent the daily Alteration of Measures, which is a Disgrace to all Governments, should not have been accepted, particularly when the Object of it was to learn the clear and decisive Opinion of the Court of Directors, as well on the Subject now before the Board as on many others of the highest Importance to this Government; it is therefore sufficient that I declare my Dissent to the Removal of Mr. Bristow; and I cannot agree to the Appointment of Mr. Nathaniel Middleton, till he has acknowledged the Authority of this Government, in submitting to give up the Papers which were before required of him; as this is a positive Order of the Court of Directors, a Refusal from him can no longer be admitted.

Mr. Francis—I beg Leave to ask the Governor General, at what Time he received his latest Intelligence from England?

Governor General—About the Middle of August; I believe 14th of August.

Mr. Francis—I took the Liberty of asking this Question, because the Governor General has said, that he has waited to this Time in the Expectation of decisive Advices from England; that Expectation must have been founded on the Intelligence which he received on the 14th August, and as he has not received any Advices since that Period, I do not comprehend what new Motive or Consideration induces him to give up the Expectation of those decisive Advices for which he has hitherto waited. If he has hitherto expected the Arrival of the Eagle Packet, or of Intelligence by any other Channel, there is no apparent Reason why he should not still expect them.

Governor

Governor General—I have not expected the Eagle Packet; and I think the Season is now too far advanced for Intelligence to be received for some Months yet to come, by the Route through which I received my last Letters from England, which was by the Port of Suez, and through the Red Sea.

Some Arguments arising, respecting the Regularity of the previous Question proposed by General Clavering, for suspending the Consideration of the Governor General's Motion;

Governor General—To bring the General's Motion more regularly before the Board, I desire that the Question may be put, Whether my Motion shall be deferred till the Arrival of the Eagle Packet?

Mr. Francis—The General's Motion cannot be more regularly put than it was by himself. I entirely approve of it.

Mr. Barwell—I look upon this in the Light of a previous Question, Whether the Governor General's Question shall be put, or not? I have already acquiesced to its being put, and must therefore put a Negative upon this Motion.

General Clavering agrees to the Motion.

Governor General—I again object to it.

Resolved, That the Board do not agree to General Clavering's Proposition, for deferring the Consideration of the Governor General's Motion until the Arrival of the Eagle Packet.

General Clavering—The Court of Directors having been pleased, in the 28th Paragraph of their Letter of the 15th December 1775, to declare that Mr. Nathaniel Middleton's Correspondence with the late President, should have been addressed to the President and Council, or speedily and unreservedly laid before them by the President, and to express their Disapprobation, that any Part thereof had been withheld from the Perusal of the Supreme Council, I move, that before the Consent of this Board be obtained for the Appointment of Mr. Nathaniel Middleton to the Vizier's Court, that the Orders, or at least the plain and direct Intentions of the Court of Directors, be complied with.

Mr. Francis—If any Respect be due to the Sense of our Superiors, or if we expect Submission to our Authority hereafter, the Propriety of this Motion, I conceive, cannot possibly be disputed. The Court of Directors, and a General Court of Proprietors, have unanimously resolved that the Whole of Mr. Middleton's Correspondence with the Governor General ought to have been laid before the Board; and the Court of Directors express their strongest Disapprobation of the Refusal to communicate such Correspondence entire to us. As long as no Proposition was made for employing Mr. Middleton, and as the Public Service did not longer require that we should receive that Communication for our Guidance, it was needless to renew the Requisition to Mr. Middleton. I would now have it renewed upon the single Ground of the Obedience he owes to Government; and I should think that the Governor General himself, although he might have Reasons to avoid insisting upon it at that Time, when the Requisition only proceeded from General Clavering, Colonel Monson, and myself, will now see the Necessity of enforcing it, as a Duty imposed upon this Board by the whole Authority of the East India Company.

Mr. Barwell—This is the Second previous Question that has been put upon the Governor General's Motion; it comes indeed in a new Dress, but still it is the previous Question, for if it was not to restore Mr. Middleton to his Rights, and the Governor General did not think it incumbent on him so to do, I apprehend the Motion would not have been made. I acquiesce with Mr. Francis, that there would have been no Necessity for calling upon Mr. Middleton for his Correspondence at this Juncture, if the Governor had not proposed to employ him; as is evident, from the Length of Time that has elapsed since the Receipt of the Company's Letter, and the Call now proposed to be made upon Mr. Middleton, the Company have disapproved of the Governor General's not giving his Correspondence entire, although what he did submit contained the Whole of the Public Transactions; but as they throughout cautiously avoid imputing the least Blame to Mr. Middleton, I do not see that the Governor's Conduct can be a Bar to any Appointment that may be proposed for that Gentleman, I regard the Motion as a Second previous Question, and put my Negative upon it.

General Clavering agrees to the Motion.

Governor General—I object to the Question, upon the single Ground of its being directly contrary to the manifest Intentions both of the Court of Directors and the General Court of Proprietors. Neither of these Courts have ordered that Mr. Middleton's Correspondence with me should be laid before the Board. This, together with the Recall of Mr. Middleton and the Appointment of Mr. Bristow, were the first Subjects which were referred to their Decision. Their Opinions, though solemnly given, express neither Approbation or Disapprobation of the Recall of Mr. Middleton or the Appointment of Mr. Bristow, but leave those Subjects open to any Change which might afterwards be proposed respecting either. Upon my Refusal to deliver up Mr. Middleton's Correspondence, the Court of Directors have expressed their Disapprobation that any Part thereof had been withheld from the Perusal of the Supreme Council; but though it should obviously follow, if such was their Intention, that I should, on Receipt of their Orders, deliver up the Correspondence which I had before improperly withheld, yet no such Order, nor Intimation of such an Order, appears in any Part of the General Letter quoted by the General; and the Court of Proprietors, in express Terms, confine their Approbation of the Opinion delivered by the Court of Directors to the Time past; they too agree with the Opinion of the Court of Directors, that the whole Correspondence between the Governor General and Mr. Middleton should have been laid before the Members of the Supreme Council, adding, as the Reason, the following Words, "who ought to have received every Information respecting the Transactions of the Company's Agents at Sujah Dowla's Court, in order to regulate their Conduct at that critical Period." Forgetfulness may be imputed to Individuals,

A P P E N D I X, N^o 3. (E).

but it is impossible to suppose that Twenty Men, of known Abilities and Experience in Business, should have omitted so necessary an Order, or left it to be gathered by Implication from an Opinion given upon a Subject past; much less can such an Inadvertency be imputed to the whole Body of Proprietors.—I object to the Motion.

The following Motion of General Clavering's is resolved in the Negative; viz.

“ That before the Consent of this Board be obtained for the Appointment of Mr. Middleton to the Vizier's Court, that the Orders, or at least the plain and direct Intentions, of the Court of Directors be complied with; viz. that Mr. Nathaniel Middleton's Correspondence with the late President should be speedily and unreservedly laid before the Board.”

Resolved, That Mr. John Bristow be recalled to the Presidency from the Court of the Nabob of Oude, and that Mr. Nathaniel Middleton be restored to the Appointment of Resident at that Court, subject to the Orders and Authority of the Governor General and Council, conformably to the Motion of the Governor General.

Mr. Francis—I beg Leave to enter my Dissent from the Resolution of the Board, for the following Reasons:

1st. Mr. Bristow's Removal is not founded on any Plea of Necessity or of Advantage to the Public Service, but solely on the particular Confidence which the Governor reposes in Mr. Middleton.

2d. It is not founded on any Plea of Incapacity or Demerit in Mr. Bristow, or even of superior Qualifications in the Person who is to succeed him.

3d. It is in effect a Disavowal of, and Contradiction to, the unanimous Declarations which the Board have repeatedly made, as well to himself as to the Court of Directors, of the high Sense we all entertain of his Services to the Company, and which I am happy to find is not yet diminished in any of us. The following Passages from the Records will shew, that, however we might differ, as we did on many other Questions, Mr. Bristow's Conduct united every Opinion in his Favour.

In our Letter of the 3d August 1775, we informed the Court of Directors, that “ Mr. Bristow's Conduct in negotiating and bringing to a happy Conclusion, the important Business committed to him, notwithstanding the Difficulties which were at first thrown in the Way, was very meritorious; and that, as the signal Service he rendered the Company, in the Acquisition of so great an additional Revenue, afforded us the Means of acknowledging his Services without any Charge on their ancient Fund, we determined to reward him by a Present of One Lack of Rupees.”

While such distinguished Testimonials accompany Mr. Bristow's Dismissal, the present Resolution touches nothing but the Honour of the Board, and the Consistency of their Proceedings. Our Letter to Mr. Bristow himself, demonstrates still more strongly the Board's unanimous Approbation of his Conduct; we told him,

“ We entirely approve of every Article in the Treaty, and of the Negotiation of it.”

We said, that “ In ratifying a Treaty so highly honourable and advantageous to the Company, as that which you have had the Honour of concluding with the Nabob, we cannot, in Justice to your distinguished Zeal and Assiduity in the Course of this important Negotiation, omit expressing to you the highest Approbation of your Conduct, and returning you our Thanks for the Service you have rendered to the Company. The Terms you have obtained are so complete and satisfactory, that they equal our warmest Expectations; and you may be assured, that we shall not fail to represent the Whole of your Conduct since your Appointment, to the Honourable Court of Directors, in that favourable Light in which it appears to us, and in which we do not doubt it will be received by the Company.”

“ As a further Mark of Favour and Approbation, we have agreed to order a Bond to be made out in your Favour, for One Lack of Rupees, bearing Interest at Five per Cent. from the 21st May, being the Date of the Signature of the Treaty; subject however to the final Approval of the Honourable the Court of Directors, to whom we shall recommend it, as a just Reward of your Services.”

The intended Reward however has not been received by Mr. Bristow. It would not be improper to insert in this Place, a Copy of the whole Treaty of Fyzabad, since there is not a Line of it that does not in Effect arraign the Justice of the present Resolution. I shall however only mention those Two Articles in Favour of the Company, in which a less faithful Servant, and a less honourable Man, might have used the Latitude allowed him by his Instructions, and easily have compounded for Abatements, yet still have preserved the Credit of having rendered an essential Service to his Employers: I mean the Acquisition of a Net Revenue of Twenty-three Lacks, with all the Rights of the Nabob over the Country of Benares, and of Six Lacks a Year in Addition to the Subsidy. The Company, I trust, will long preserve the Possession of these Acquisitions, as well as a grateful Sense of the Ability and Integrity to which they owe it.

4th. At a Time when the Establishment of our Ally the Nabob of Oude is represented to be insecure, and when some extraordinary Measures are recommended for protecting his Dominions against a Foreign Invasion, I deem it in the highest Degree hazardous to the Welfare of his Government, and of course to our own, to remove a Man, thoroughly acquainted with the Affairs of that Country, and with the political Interests, Views, and Connections of all the Indian Powers that surround it; and that

A P P E N D I X, N^o 3. (E) (F) (G).

that if the Measure were otherwise defensible, many Circumstances, which peculiarly belong to the present Conjuncture, ought to have deterred the Board from adopting it.

5th. The present Resolution appears to me an Attack on the Authority of the Company themselves; who are informed of Mr. Bristow's Appointment, who have left it unreserved, and who have expressly adopted and confirmed the Principles on which Mr. Middleton was recalled.

6th. Supposing the present Majority not to be bound, by any Obligation of Public Duty, to maintain an Uniformity of Councils in the Eyes of the Indian Powers, and to preserve some Appearance of Dignity and Consistency in the Operations of this Government; and supposing that the Governor General and Mr. Barwell have no Rule to consult, but the Extent of their present Power, to direct them in the Use of it; still I affirm, that, on any Principles they can possibly avow, the Recall of Mr. Middleton is not a Precedent to justify that of Mr. Bristow: The Records will shew, that the Motives on which the late Majority acted, were solely of a Public Nature. We deemed it a Violation of the Constitution of this, or any Government not vested in a single Person, that the chief Member of it, who is no more than First among his Equals, should transact the Affairs of the Government through the Channel of a private Agent, receiving Instructions from him alone, and answerable to him alone for the Execution of them. The Honourable Court of Directors themselves tell us, "that the Conduct of the late Council in this Respect was very improper;" they expressly order, "that no such independent or separate Authority be ever delegated to any Governor or Member of Council, or to any other Person whatever;" and they declare, "that Mr. Middleton's Correspondence should have been addressed to them, or speedily and unreservedly laid before them by the President."

If the Public Principle on which we professed to act, be now clear and incontrovertible, it will appear, from the strongest presumptive Evidence, that we did not assume it to cover any secret, unwarrantable Purpose. The Governor General himself will acquit us of partial Views to the Establishment of any other Person at the Expence of Mr. Middleton; he cannot but recollect that General Clavering, Colonel Monson, and myself, made him a Tender of continuing Mr. Middleton as the Public Resident of the Company; which the Governor thought fit to decline. With respect to Mr. Bristow, I most solemnly declare, that his Name for this Appointment was not, to my Knowledge, in Contemplation with any Member of the Board, till a considerable Time after Mr. Middleton's Arrival in Calcutta. If vindictive Measures were in any Case capable of a Justification, it could only arise from a Comparison with other Measures of the same Temper; but even on this Principle, the Removal of Mr. Bristow has no Plea to support it.

Extract of Letter from the Governor General and Council to Mr. Bristow.

Having thought proper to recall you to the Presidency, and to restore Mr. Nathaniel Middleton to the Station of Resident at the Vizier's Court, we direct, that on his Arrival at the said Court, you immediately deliver up to him the Charge of that Appointment, and repair to Calcutta.

(F)

Extract of the Secret Letter from Bengal, dated 19th December 1776.

Par. 5. We beg Leave to refer you to the Consultation of the 2d Instant, for our Proceedings upon a Motion proposing the Recall of Mr. Bristow from the Vizier's Court, and the Restoration of Mr. Nathaniel Middleton to the Post of Resident at that Court, under the Orders and Authority of the Governor General and Council. The Motion, after some Debate, was carried in the Affirmative; and Mr. Middleton has accordingly been restored to that Appointment.

(G)

Extract of the Company's General Letter to Bengal, dated 4th July 1777.

Par. 11. Upon the most careful Perusal of your Proceedings of the 2d of December 1776, relative to the Recall of Mr. Bristow from the Court of the Nabob of Oude, and the Appointment of Mr. Nathaniel Middleton to that Station, we must declare our strongest Disapprobation of the Whole of that Transaction.

Par. 12. We observe, that the Governor General's Motion for the Recall of Mr. Bristow, includes that for the Restoration of Mr. Nathaniel Middleton; but as neither of those Measures appear to us necessary, or even justifiable, they cannot receive our Approbation.

Par. 13. With respect to Mr. Bristow, we find no Shadow of Charge against him. It appears that he has executed the Orders of the Board to the entire Satisfaction even of those Members of Council who did not concur in his Appointment. You have unanimously recommended him to our Notice.

Attention

A P P E N D I X, N° 3. (G) (H) (I)

Attention to your Recommendation has induced us to afford him Marks of our Favour, and to re-annex the Emoluments affixed by you to his Appointment, which had been discontinued by our Order. And as we must be of Opinion that a Person of acknowledged Abilities, whose Conduct has thus gained him the Esteem of his Superiors, ought not to be degraded without just Cause, we do not hesitate to interpose in his Behalf; and therefore direct, that Mr. Bristow do forthwith return to his Station of Resident at Oude, from which he has been so improperly removed.

(H)

Extract of the Company's General Letter to Bengal, dated 23d December 1778.

Par. 149. We have likewise permitted Mr. John Bristow to return to his Rank in the Service, and to the Station which he held at the Vizier's Court; and to which he was restored by our Order of the 4th of July 1777.

(I)

Extract of the Proceedings of the Governor General and Council, in their Public Department, the 22d May 1780.

Read the following Letter from Mr. Bristow :

Honourable Sir, and Gentlemen,

I beg Leave to represent to your Honourable Board, that I arrived at the Presidency on the 16th February last. Not having yet been put in Possession of the Office of Resident at the Vizier's Court, in which I had the Honour of being re-instated, agreeable to the Orders of the Court of Directors, dated the 4th of July 1777, and the 23d December 1778, I think it my Duty to address your Honourable Board, with an humble Request to carry the abovesaid Orders into Execution. I make this Application in consequence of my Solicitations to the different Members of the Board, to move for my Re-instatement, having been repeatedly refused by every Member individually; and it being now incumbent on me to make a public Claim of my Right.

In Justification of my Conduct, in not having immediately on my Arrival requested to be forthwith put in Possession, I humbly represent, that I understood my Re-instatement ought to have been moved by a Member of the Board. Under other Circumstances my Conduct might be deemed premature; but, situated as I am, after Three Months Solicitation in vain, I hope, our Honourable Superiors will do me the Justice to consider the Delay in my Application a Point of Delicacy to your Honourable Board, and no Want of Attachment to them, or Zeal for their Service. I have never given my Consent to being held out of my Office; and I mean by this Address, to efface any bad Impressions that might be entertained of me in thus long suspending a Claim grounded upon the highest Authorities.

I also beg Leave to represent, I was removed from my Office the 2d of December 1776, after having for Two Years successively received the unanimous Approbation of your Honourable Board. Our Honourable Superiors have since likewise been pleased to favour me with Marks of their Approbation; notwithstanding which I am treated with Neglect by your Honourable Board; and the Members individually have positively refused to do me the Justice I have every Right to claim. In order to discharge my Duty to our Honourable Superiors, I humbly solicit that it may be recorded upon your Proceedings, I have neither directly nor indirectly consented to my Right having been thus long withheld from me.

In Justice to Sir Eyre Coote, I take the Liberty of mentioning, that I have the Honour of a Letter from him, under Date the 3d of last Month; in which he declares his Determination of supporting the Orders of the Court of Directors in my Favour.

Fort William,
1st May 1780.

I have the Honour, &c.
(Signed) John Bristow.

Ordered, That it be circulated to the different Members of the Board.

(K) Extract

(K)

Extract of the Proceedings of the Governor General and Council of Bengal, in their Public Department, the 2d October 1780.

Mr. Francis moves, That the 11th, 12th, and 13th Paragraphs of the Company's General Letter of the 18th July 1777, and the 149th Paragraph of the General Letter of the 23d December 1778, be now read.

Read the above-mentioned Paragraphs of the Company's General Letters of the 18th July 1777, and 23d December 1778.

Mr. Francis moves, That in Obedience to the Company's Orders, Mr. Bristow be forthwith appointed and directed to return to his Station of Resident at Oude; and that Mr. Purling be ordered to deliver over Charge of the Office to Mr. Bristow, immediately on his Arrival, and return himself forthwith to the Presidency.

Also, that the Governor General be requested to furnish Mr. Bristow with the usual Letter of Credence to the Nabob Vizier.

The Governor General—Before the Board enter into the Consideration of this extraordinary Motion, I must beg Leave to offer some Observations upon it. Were the most inveterate and determined Adversary of the British Nation to possess, by whatever Means, a Share in the Administration, he could not devise a Measure in itself so pernicious, or time it so effectually for the Ruin of the British Interests in India, as that now introduced to the Board. Mr. Francis alone is conscious of his own Motives and Intentions; I can speak only to their Tendency. We are at this Instant involved in a new War with perhaps the most powerful of all the States in India; which has opened with a Calamity so dreadful, as to require the most immediate and vigorous Exertions of this Government to prevent what must otherwise be the Consequence, the total and speedy Loss of the Carnatic, and of all the British Establishments and Possessions in that Part of India. To ward off this impending Danger we have, besides immediate Preparations of War, resolved to offer a Peace, on their own Terms, to the Marattas, with whom we have been, during the past Two Years, engaged in a hazardous, though hitherto successful War. At such a Time to proclaim an entire Subversion of the Influence of this Government (for such must be the Effect, whether it be or be not the Intention, of the present Question) will be to defeat every End of the Measures on which we have lately resolved; to give Encouragement to our Enemies, by the Prospect of an inverted, fluctuating, or divided Government; and discourage those to whom the Advances of this Government are made, when they see the Person in whose Name they are offered, and to whom alone they look as the representative Instrument of the British Nation in India, treated at the same Instant with Contempt, and disarmed of the Power of fulfilling the Engagements, and maintaining the Faith of the Treaties offered by him for their Acceptance. I will ask, who is Mr. Bristow, that a Member of the Administration should, at such a Time, hold him forth as an Instrument for the Degradation of the First executive Member of this Government? What are the professed Objects of his Appointment? What are the Merits and Services, or what the Qualifications, which entitle him to such an uncommon Distinction? Is it for his superior Integrity, or from his eminent Abilities, that he is to be dignified at such Hazards of every Consideration that ought to influence the Members of this Administration? Of the former I know no Proofs; I am sure it is not an Evidence of it, that he has been enabled to make himself the Principal in such a Competition; and for the Test of his Abilities, I appeal to the Letter which he has dared to write to this Board, and which I am ashamed to say we have suffered. I desire that a Copy of it may be inserted in this Day's Proceedings, that it may stand before the Eyes of every Member of the Board when he shall give his Vote upon a Question for giving their Confidence to a Man, their Servant, who has publicly insulted them, his Masters, and the Members of the Government to whom he owes his Obedience; who, assuming an Association with the Court of Directors, and erecting himself into a Tribunal, has arraigned them for Disobedience of Orders, passed Judgment upon them, and condemned or acquitted them, as their Magistrate and Superior. Let the Board consider, whether a Man possessed of so independant a Spirit, who has already shewn such a Contempt of their Authority, who has shewn himself so wretched an Advocate for his own Cause, and Negotiator for his own Interest, is fit to be trusted with the Guardianship of their Honour, the Execution of their Measures, and as their confidential Manager and Negotiator with the Princes of India?—As the Motion has been unaccompanied by any Reasons which should induce the Board to pass their Acquiescence in it, I presume that the Motion which preceded it, for reading the Orders of the Court of Directors, was intended to serve as an Argument for it, as well as an Introduction to it. The last of those Orders was dictated the 23d December 1778, almost Two Years past. They were dictated at a Time when, I am sorry to say, the Court of Directors were in the Habit of casting Reproach upon my Conduct, and heaping Indignities on my Station; at a Time when their Affairs in every Part of India wore the Aspect of Prosperity; at a Time too when the Renewal of the Company's Charter was in Contemplation, and a new Settlement of Government was required for the Administration of these Provinces. It was certainly their Intention or Expectation, that I should be immediately removed from this Government, and some other Person substituted in my Place. To what Causes the Suspension of

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this Design is to be ascribed, I shall not enquire; but since they themselves have thought it proper to continue me in the chief Administration of their Affairs, I shall not offer so gross an Insult to their Understandings, or Impeachment of their Integrity, as to suppose that they could ever think it consistent with the Interests and Security of their Constituents to deprive me of those Authorities and Sources of Influence which can alone enable me to fulfil the Duties they have assigned me, and on the Foundation of which so heavy a Responsibility rests on me particularly. The relative Situation of the Governor General and of the other Members of the Council, has not indeed been defined by the Act of Parliament which has constituted their collective Authority; but in all Instances in which that Act has been silent, the Powers and Practice of the former Government were declared by the Act itself to subsist unchanged. By the ancient and immemorial Constitution of the Company, the executive Authority of every Presidency was committed to the First Member of it: He was declared the immediate and sole Agent in all Negotiations and Transactions with the Country Powers, and his Name alone was announced to them as the Representative of the Government; as the Government, let it then be considered how far the Principles and obvious Design of this Privilege are generally connected with the Question now before the Board, independantly of the peculiar Circumstances which attended it. The Removal of Mr. Middleton, my Agent at the Court of the Nabob of Oude, was the first Act of a Majority of this Administration in the Year 1774, to proclaim the Annihilation of my Authority; and the Effect most completely answered that Intention; for from that Moment I was considered, both at the Court of Oude, and in every other Court which had any Connection with this Government, in no other Light than as the constrained Instrument of exercising an Authority which had been established on the Ruins of my own. Such must be the evident Effect of the present Question if it shall be carried against me. I will not carry this Argument to the further Lengths or Conclusions to which it would warrantably lead me; but I do most solemnly adjure the other Members of the Board, that, unless they think me totally unqualified to execute the Functions of my Station, they will not give their Sanction to a Measure which must reduce me to the State of a nominal Member of it, which shall take the Reins of Administration from my Hands to place them in those of Mr. Francis; and which, by subverting the natural Order of the Constitution, must deprive it of its Vigour by whomsoever it may be occasionally held. While they pay that Obedience and Respect which I am as ready as they are to yield to the Orders of the Court of Directors, let them compare the Situation of Things as they stood at the Time when these Orders were issued with the present, and let them imagine what Orders the Court of Directors would at such a Period as this pass on such a Question. If they think, but it is impossible to suppose it, that a Body of Men, so respectable in their Characters and in their Rank of Life, would, at a Time like this, consent to degrade and disarm the First Instrument of their Authority, let them give their Votes for the Question; if not, let them act by their strongest Conviction of what would be the Orders of the Company in the present Case, not what it is, applied to one which it was impossible for the Company to have foreseen. I again call upon them most solemnly to support my Authority, and at the same Time their own Rights and their Reputation, which are connected with it both in its immediate Effect and its remoter but inevitable Consequences.

Mr. Francis—I believe no Man living will seriously attribute to me the Character of a determined and inveterate Adversary of the British Nation. It is well known to every Man in India, that if Mr. Wheeler's Advice and mine, for these Three Years past, had been regarded, or if our unremitted Efforts had availed any Thing, this Government would not have been in the distressing Situation to which it is reduced by a Series of other Measures, adopted and pursued in Opposition to our Sentiments. But I have done with Controversy. If the Company's Orders are not binding on this Government, if they convey no positive Right to Mr. Bristow, his Pretensions fall to the Ground. If the contrary be true, the Question is simply, whether the Orders shall be obeyed, or not? In the Governor's Minute, I see no Connection between the Premises and the Conclusion; I see no Proportion between the Mischiefs supposed to follow from Mr. Bristow's Re-appointment, and the Cause which is to produce them. The other Members will judge for themselves; but I foresee many Mischiefs and Dangers of the first Magnitude, from this Government contracting a Habit of disobeying the Company's Orders. Their Authority is the only Link by which this Dominion is held by Great Britain; if that Authority be not binding on us, or if we may wave it when we think fit, I know not through what other lawful Medium the superior State can exercise its Jurisdiction over the Inferior.

The Question applied personally to Mr. Bristow, might, with equal Reason and Propriety, be applied to Mr. Middleton, Mr. Hosea, Mr. Purling, or any other Gentleman in the Company's Service. The Paragraphs of the Company's Letters which have been read, contain a compleat Answer to them; and if they do not, I am not bound to take any Part in such Questions, since I rest my Proposition on the Grounds of the Company's positive and repeated Orders.

Governor General—I pass Mr. Francis's Minute, availing myself of it, only to assert my own Pretensions on the very Ground on which he supports his Question; and on this Occasion Mr. Wheeler will pardon me, if I address myself in a more particular and pointed Manner to him. He was my Superior at the Time I held this Government under another System; he was, during some Part of that Time, the Chairman of the Court of Directors; and on him I venture to call, as an Evidence of the implicit and effectual Obedience which I paid to the Commands of the Court of Directors in every Instance in which they thought it proper to put my Fidelity to the Trial. For this, my Reputation, my Ambition, my Interest, and private Feelings, were severally taxed; yet in all that Period I never suffered any Consideration to prevail for a Moment in Opposition to my Duty, and to the Confidence which

which they generally reposed in me. In Return, I claim from him that Portion at least which he can bestow, of the Reward which was due to such Services performed with such Sacrifices; and as he once did me the Honour to think me deserving of his Applause, I hope that now I shall receive his Support. He will well remember the Instances to which I allude, and the Belief entertained by many at the Time in which those Orders were issued, that I should either refuse or evade the Execution of them.

Mr. Wheeler—The high Sense which the Court of Directors entertained of the peculiar Merits and Abilities of the Governor General, at a Period alluded to in the foregoing Minute, were more conspicuously marked by their Choice and Appointment of him to the exalted Station which he now holds, than they can possibly be by any particular Instance at this Time recited by me; a general Compliance with the Company's Orders, I am persuaded constituted no small Part of those Merits which at that Time met with the unanimous Reward of the Court of Directors. I am equally desirous to support the Authority of the Governor General at this Period, as I was when in a different Situation, happy in promoting those Ends which I thought most conducive to his Honour, and to the general Interest of the Company's Affairs; but in the present Contest I cannot effect it without a Sacrifice of that Power, from whence I conceive he derives his Authority. The Orders of the Court of Directors are too pointed and strong to leave me a Choice. I must therefore give my Assent to the Motion in Support of them.

Sir Eyre Coote—At a Time when I am so engaged in the Public Concern, I little expected that any Question of a private Nature would be agitated at this Board, that could possibly interrupt the Harmony of it, and that at a Time when that Harmony is so necessary for carrying on of the Public Service. The Question to me is of so much Magnitude that I must beg Leave to defer giving my Opinion on it till To-morrow.

The Governor General informs the Board, That for the Purpose of concluding this Debate, he shall request their Attendance in this Department again To-morrow Morning.

Deferred the further Consideration of Mr. Francis's Motion until To-morrow Morning.

(L)

Extract of the Proceedings of the Governor General and Council of Bengal, in their Public Department, the 3d October 1780.

Renewed the Consideration of Mr. Francis's Motion, recorded on Yesterday's Proceedings.

Sir Eyre Coote delivers in the following Minute:

After having created the Board the Trouble of a Second Meeting on the Question which formed the Subject of Yesterday's Debate, and for which I trust its Importance, my own Situation at this Juncture, and my being without any previous Knowledge until I arrived in Town in the Morning, that such a Business was likely to come before us, will plead Excuse; it is not my Intention to encroach further on their Time by tedious Argument or Discussion.

Whilst I am bound in Honour by my Opinion, recorded on the Proceedings of this Board on a former Occasion, to support all Orders received from the Court of Directors subsequent to my Arrival in this Country; I nevertheless hold it a Duty equally incumbent upon me as a Member of this Administration, appointed under the Authority of an Act of Parliament, and to which Tribunal of the British Constitution we are ultimately responsible for the due Execution of the important Trust committed to our Charge, the Care of the Interests of the English Nation in India, to judge how far in following such Orders I am likely to injure that First Object of our Attention.

The late Requisition made of me by this Board, to take upon me the Command of the Army at Madras, and the Grounds upon which that Requisition was made, render it altogether unnecessary for me to bring forward on this Occasion, Arguments in Proof of the very critical State of the Interests of the Company and the English Nation in India; our unanimous Agreement on the Measure, and our subsequent Resolutions to carry it into Force, evince its Expediency, and which I flattered myself had been the Result of a disinterested Conviction in the Mind of every Member of this Board, and of a Determination to allow no Objects to interpose, which could have a Tendency to obstruct the successful Execution thereof. That the Restoration of Mr. Bristow at this Time, to the Charge of the Residency at Lucknow, will produce Effects highly prejudicial thereto, I have not a Doubt of, as it will generate in the Minds of every Power of Hindostan, that the Governor General is carrying on Treaties with them which he has not the Power to ratify; and will produce on their Part, Consequences destructive to all Negotiation, Indecision and Procrastination. The Necessity of avoiding every Step that can give Rise to such Impediments, at the very Time the Governor General is negotiating, under the Sanction of this Board, Terms of Peace with the Marattas, I am persuaded is too obvious to every Member of it to require Elucidation; and that they see it as a Conduct highly inseparable from the real Purpose of their Resolves, to give him every possible Support both in Word and Action, for the Accomplishment of a Business in which the Interests of the Public are so essentially concerned.

In short, although my former Declarations, added to the Rule I had laid down for my Conduct in

A P P E N D I X, N^o 3. (L)

a 2/11/19
in all Cases where I could have the Orders of the Court of Directors for my Guide, obliges me to give my Voice in Favour of Mr. Francis's Motion; I nevertheless see, and am so thoroughly convinced, of the great Necessity there is, in the present critical Conjuncture of our Affairs in India, of supporting the Governor General, as the First Instrument of our Administration, that I here declare I will most heartily join with him in any Measure he can devise, whereby the ill Effects of the Change at Lucknow may be obviated, and the World in general be convinced that he is still in Possession of that Authority in the Administration of the Public Business, so absolutely requisite for the Support of our Government.

In urging these Sentiments, I am naturally led to reflect on what may be my own Situation in the Execution of that Duty which I am on the Eve of undertaking; the Operations of which may be materially injured by any Measure which in the least impede the Negotiations set on Foot by the Marattas. I therefore, as a Duty I owe myself and the Public Welfare, call upon every Member of this Board to give me such Testimony of their Determination to support me in the Prosecution of a Service so important in itself and in its Consequences, as that, when once entered on, I may not be exposed to the Apprehension of Failure, from a Doubt of not receiving that ample Assistance from them which the Nature of the Undertaking renders so indispensably necessary, and which they alone can afford.

(Signed)

Eyre Coote.

Mr. Francis's Motion carried in the Affirmative.

Mr. Francis—If the Commander in Chief will state on what specific Points he wishes to obtain from me a Testimony of my Determination to support him in the Prosecution of the Service which he is going to undertake, I dare say I shall be able, as I am sure I am desirous, to give him every Satisfaction he can desire. If the Request be left generally, I can only answer it by a general Assurance to him, that it is my Determination to support him. The Reinforcement of Men, and the great Supply of Money, which he will carry with him, will empower him to act for a considerable Time at least; and if there be any thing else he wishes for, I only beg it may be stated.

Mr. Wheler—I have already given my feeble Support to all the Measures that have yet been proposed for the Restoration of our Affairs in the Carnatic, by the Governor General, with the Concurrence of the Commander in Chief. I am ready to go yet further, and to remove every Interruption to the General's Measures in a Quarter where I apprehend they might possibly be opposed. I doubt not but I am understood.

The Governor General—It is unnecessary for me to give Assurances to the General of my particular Support, after having been the Mover of the Measures which so essentially require his Personal Execution of them, and of the Request made to him so urgently by this Board, to undertake the Conduct of them. I regard the Interest, and eventually perhaps the Existence of this Government, to be dependent on the Success of his Operations; and declare I will, at all Hazards, make this my first and invariable Object.

The Governor General delivers in the following Minute.

I cannot, consistently with what I consider due to the Dignity and Authority of my Public Station, and to my own Character and Feelings as a Man, consent to affix my Signature to the Letters of Credence or Instructions of Mr. Bristow, as Resident at the Court of Oude. The Court of Directors, after having in their first Instructions to this Government, expressly enjoined every Member of the Board not only to be guided by the Voice of the Majority, but also to subscribe to all Letters, Orders, Acts, and Measures, resulting from the Decisions of such Majority, have since thought proper to compliment General Clavering and Mr. Francis upon their Departure from this Rule, in Instances where their Sentiments have not accorded with those of the other Members of the Board. This will be a Justification to me in the Resolution I have taken; for whatever Law is binding on one Member of the Administration must certainly be so to the Whole; and although it is a Latitude I neither approve, or should in general wish to avail myself of, yet in this very particular Instance I trust I shall stand acquitted not only to my Employers but to the whole World. I must therefore desire, that the Board will devise some other Means of notifying Mr. Bristow's Appointment to the Vizier; and as they have thought it incumbent on them, as a Point of official Duty, to receive and put in Force an antiquated Order of the Court of Directors in Favour of Mr. Bristow, which, for the Reasons assigned in my Minute of Yesterday, will necessarily be considered by all the Country Powers as a Supercession of my Authority, I am yet willing to hope, that the Board will not only listen to but afford me their Support in a Motion which I shall beg Leave to make, with a View to repair the Injury which I conceive my Public Station has sustained; and avert in some Degree the prejudicial Effects which this Measure cannot fail to produce on our Affairs.

I propose, That Mr. Bristow's Appointment be limited solely to the Conduct of such Political Negotiations, Correspondence, and Transactions, as this Government may now, or at any future Period, be engaged in with the Vizier, and in no Shape whatever to interfere in any Matters respecting our pecuniary Engagements with his Excellency; that a separate Agent be appointed by us to that Trust, whose Duty it shall be to receive, collect, and manage, the Tuncaws or Assignments which have been or may hereafter be granted by the Nabob for the Liquidation of the Claims of this

Govern-

Government upon him; that he be intrusted with the Adjustment of all Accounts relative to those Claims with the Nabob and his Ministers, with all Disbursements to the Paymasters of the Company's Troops stationed in the Dominions of the Vizier, as also to his Excellency's own Military Establishment under British Officers, &c. remitting the Residue of his Collections immediately to us; and that he be directly amenable to our Authority and Orders, and in no Respect whatever dependent on or connected with the Office of the Resident. And as Mr. Purling cannot continue with a diminished Commission, and as it now becomes, more than ever, necessary that I should have a Person in Station in those Provinces, not only in whom I can confide, but who is publicly known to be attached to me, I propose Mr. Middleton for the above Office, hoping to meet with the Concurrence and Support of the Board.

Sir Eyre Coote—I agree to the Governor General's Proposal, of the Appointment of Mr. Middleton to the Office mentioned, not because Mr. Purling may not continue at Lucknow with a diminished Commission, but because Mr. Nathaniel Middleton is a Person publicly known to be attached to the Governor General. The Necessity of the Times requires an Appearance of that Kind.

Mr. Wheeler—I object to the Question.

Mr. Francis—The Office described in the Motion is the same which Mr. Bristow held before, and which has been held since by Mr. Middleton and Mr. Purling. I know no Reason why it should be diminished and so materially altered when it is given to Mr. Bristow: I therefore cannot consent to the Proposition. At the same Time, it is a Matter of Indifference to me, by whom the Duties, proposed to be vested in Mr. Middleton, are exercised.

The Governor General's Motion carried in the Affirmative.

Resolved accordingly, That Mr. Bristow's Appointment be limited solely to the Conduct of such Political Negotiations, Correspondence, and Transactions, as this Government may now, or at any other Period, be engaged in with the Vizier; and that he in no Shape whatever interfere in any Matters respecting our pecuniary Engagements with his Excellency.

Resolved, That Mr. Nathaniel Middleton be appointed Agent on the Part of this Government, for receiving, collecting, and managing the Tuncaws or Assignments which have been, or may hereafter be granted by the Nabob for the Liquidation of the Claims of this Government upon him; that he be entrusted with the Adjustment of all Accounts relative to these Claims with the Nabob and his Ministers, with all Disbursements to the Paymasters of the Company's Troops stationed in the Dominions of the Vizier, as also to his Excellency's own Military Establishments under British Officers, &c. remitting the Residue of his Collections immediately to us; and that he be directly answerable to our Authority and Orders, and in no Respect whatever dependant on or connected with the Office of Resident.

Mr. Francis moves, That as the Governor General declines signing the Letter of Credence for Mr. Bristow, Mr. Bristow's Appointment may be communicated to Mr. Purling by the Board, with Directions to make it known to the Vizier.

Agreed to.

Ordered, That Mr. Charles Purling be directed to deliver over Charge of all the Papers hitherto held by him, which have Relation to the Office to which Mr. Bristow has been appointed, to Mr. Bristow; and that he be directed to deliver over Charge to Mr. Nathaniel Middleton, of all the Papers and Accounts of the Office hitherto held by him, which have a Relation to the Office to which Mr. Middleton is appointed, together with the Balance of Cash in his Hands.

Agreed, That the following Letter be written to Mr. Purling.

To Mr. Purling.

Sir,

Having, in consequence of the Commands of the Honourable Court of Directors, thought proper to appoint Mr. John Bristow Resident at his Excellency the Vizier's Court, we direct, that on Receipt of these Orders you make the same known to the Vizier; and that on Mr. Bristow's Arrival at Lucknow, you deliver over Charge to him of all public Papers in your Possession, relative to the Management and Conduct of the Political Negotiations, Correspondence, and Transactions between this Government and his Excellency. And having been pleased to appoint Mr. Nathaniel Middleton our Agent to receive, collect, and manage the Tuncaws or Assignments, which have been or may hereafter be granted by the Nabob for the Liquidation of the Claims of this Government upon him; to adjust all Accounts relative to these Claims with the Nabob and his Ministers, and to make the requisite Disbursements to the Paymasters of the Company's Troops stationed in the Vizier's Dominions, as also to his Excellency's own Military Establishment under British Officers, &c. we direct, that on Mr. Middleton's Arrival at Lucknow, you deliver over Charge to him of such Papers in your Possession as relate to these Offices: And after the Execution of these Orders, we require that you forthwith return to the Presidency.

Fort William,
3d October 1780.

We are, &c.

A P P E N D I X, N° 3. (M) (N)

(M)

Extract of the Proceedings of the Governor General and Council of Bengal, in their Public Department, the 9th October 1780.

Governor General—The Governor General proposes Messrs. Richard Johnson, John Charles Middleton, and Trevor Wheler, as Assistants to the Collector of the Vizier's Assignments to the Company, requesting the Concurrence of the other Members of the Board.

(Signed) Warren Hastings.
Agreed. { E. Wheler,
 { E. Coote.

I agree to the Appointment of Mr. Trevor Wheler, and I acquiesce in the other Two; without departing, however, from my Objection to the Measure on which these Appointments are founded.
(Signed) P. Francis.

(N)

Extract of the Proceedings of the Governor General and Council of Bengal, in their Public Department, the 26th October 1780.

The Governor General recommends the following Instructions to Mr. Middleton :

To Mr. Nathaniel Middleton, Collector, &c. of the Vizier's Assignments to the Honourable Company.

Sir,

Having thought proper to appoint you Agent on the Part of this Government, for receiving, collecting, and managing the Tuncaws or Assignments which have been, or may be hereafter granted by the Nabob of Oude, for the Liquidation of the several Claims of the Company upon him, and for the Adjustment in general of all Accounts now depending, or which may hereafter occur between this Government and the Nabob, relative to our pecuniary Engagements with him, we give you the following Instructions for your Guidance in the Execution of that Trust.

Immediately on your Arrival at Lucknow, to which Place we require you to proceed with all convenient Expedition, you will receive from Mr. Purling, or from whoever may be in Charge of the Office of Resident at the Vizier's Court, a general Statement of his Excellency's Account with the Company; a Jumma Waffel Backey of the Assignments which may have been granted on the present Year's Revenue, and a particular Estimate of the several Claims and Demands which these Assignments are intended to satisfy; including the Balance of the Vizier's Account current with the Company, the estimated Demand for the Maintenance of our Two Brigades and Cavalry stationed for the Defence of his Excellency's Dominions, as well as for his own Troops under the Command of British Officers for the current Year, and, in general, every other Disbursement which may heretofore have passed officially through the Hands of the Resident, with every necessary Information respecting them: And should you find upon comparing these Two Accounts, that Assignments for the full Amount of the several Demands have not been obtained, you will immediately state the Deficiency to the Vizier and his Ministers, and require that it be made good. And as we rely on you for the realizing of his Excellency's Engagements to us, we shall expect that you make the most minute Investigation of the real Value of such Tuncaws as may be given you, rejecting those you find not likely to yield the Amount for which they are granted, and demanding such others, by immediate Application to the Vizier himself and his Ministers, as you deem perfectly satisfactory. And the more effectually to enable you to secure the Collections amidst those Tumults and Disorders which too frequently disturb the Vizier's Government, especially in the remote Provinces, you will apply to his Excellency, whenever you may find it necessary, for the Assistance of such Troops, under British Officers as well as others, maintained by him for the Service of the Collections; and when these should, in your Judgment, prove inadequate to the Service required, which we understand hath frequently been the Case, we authorize you to apply, in Conjunction with the Vizier, to the Commanding Officer at the nearest Station of our Troops, who shall be instructed to furnish you with such Reinforcements as you may require, and he may, with a due Regard to the Safety of his Station, be able to afford you.

We hope that Emergencies which require the Aid of our Troops will not often occur, as we do not approve of their being detached from their Station, or generally employed in the Service of the Vizier's Revenue; and whenever you may find it absolutely necessary to call upon them, we expect to be informed of the Circumstances which may have created that Necessity, and a full Explanation of the Nature and Extent of the Services they are to perform, that we may be enabled to judge of

A P P E N D I X, N^o 3. (N) (O)

the Expediency of your Application; and you will take especial Care that the Company's Troops, whenever thus employed, are not detained from their Station longer than the Service for which they may have been called upon, shall indispensably require.

With respect to your official Accounts, in which we require you to be very punctual, you will continue the same Form as may have heretofore been observed by the Resident, subject however to such future Regulations as may be sent you by us, or the Accomptant General.

				Your Allowance from the Company we have fixed at * 1600 Sicca Rupees per Month; and that of your Assistants as follows;	
• Salary	—	—	—	Sa Rs	1,200
House Rent	—	—	—	Sa Rs	400
				Sa Rs	1,600
† Salary	—	—	—	Sa Rs	350
House Rent	—	—	—	Sa Rs	60
				Sa Rs	410
‡ Salary	—	—	—	Sa Rs	200
House Rent	—	—	—	Sa Rs	60
				Sa Rs	260

† Head Assistant 410 Sicca Rupees per Month.

‡ Second Assistant 260 Sicca Rupees per Month.

‡ Third Assistant 260 Ditto:

But as an Allowance for Writers, Peons, Hircarrahs, Sezawals, &c. will also be necessary, we authorize you to apply to the Vizier, to form such an Establishment for this Purpose as the Service may appear to require.

We enjoin you to be very regular and minute in your Communications with us, on every material Point of your Duty; and shall furnish you, from Time to Time, with such further Instructions as we may find necessary.

For the present we shall only require your punctual Adherence to the Line we have herein prescribed for the Guidance of your Conduct.

We are, &c.

Fort William,
18th October 1780.

Agreed to the Instructions proposed by the Governor General to be sent to Mr. Middleton, Collector of the Vizier's Assignments to the Honourable Company.

(O)

Extract of the Proceedings of the Governor General and Council of Bengal, in their Public Department, the 2d November 1780.

Read the following Address from Mr. John Bristow:

Honourable Sir, and Gentlemen,

I have the Honour to acknowledge the Receipt of a Letter from your Acting Secretary, informing me of my Appointment to the Station of Resident at the Court of his Excellency the Vizier, for the Purpose of conducting Political Negotiations; and at the same Time acquainting me, this Appointment does not empower me to interfere, in any Shape whatever, in any Matters relative to the pecuniary Engagements with the Vizier.

As a Servant of the Company, it is certainly my Duty to execute the Orders of your Honourable Board: And after having made this Declaration, I shall not, I hope, be deemed guilty of Disrespect, if I take the Liberty to express my Sentiments on the Appointment you have conferred upon me; that it does not correspond with the Intentions of the Court of Directors, who were pleased to re-instate me in the Office I formerly held in Owde. The Prospect of receiving actual Possession of this Office as soon as I could arrive in India, on the Terms mentioned by the Court of Directors, was the Motive which induced me to return; yet, on my Arrival at this Presidency in the Month of February last, it was my Misfortune to find my Hopes disappointed. And if, after the Anxiety of Expectation during a Period of Nine Months, I am at last directed to undertake the Charge of an Office totally different from that to which the Court of Directors were pleased to re-appoint me, I may, I hope, without passing the Bounds of Respect, expostulate upon what I cannot but deem a Grievance of the most cruel Nature to my Feelings. What I myself experience from Disappointments on this Occasion, by the Loss of Time and Diminution of Fortune, both in my Voyage from England and Residence in this Country without Office, Salary, or Employment, is a Consideration which applies personally to me alone. There is another, however, of more Consequence to me; the Degradation in the Eyes of the Public and of my Friends; which, in Justice to myself, I am more anxious to explain.

This Task, however, I cannot enter upon without Reluctance, as it obliges me to speak of my own Conduct in Terms which may be censured as the Effect of Self-applause: The Necessity of doing it must be my Apology.

When

A P P E N D I X, N° 3. (O) (P)

When I formerly held the Office of Resident at the Court of Owde, the Business entrusted to my Management was of the greatest Importance. I had the good Fortune to conclude the Treaty now in Force with the Nabob; and on this, and every other Occasion, my Conduct was uniformly honoured with your Approbation, as well as an unanimous Vote of a Lack of Rupees Reward, and a Recommendation of me to the Notice of the Court of Directors. I appeal to your Records for the Facts. I should not recall them to your Remembrance, unless they suggested to me the unpleasing Reflection of the confined Trust now placed under my Charge, and the very flattering Marks of Confidence and Approbation which I then received.

The immediate Advantages accruing to the Company by this Treaty, were the Cession of the Zemindary of Benares, and an Increase of Subsidy, altogether amounting to an additional annual Revenue of Two hundred and Eighty thousand Pounds Sterling to the Company; the Expulsion of the French from the Nabob of Owde's Dominions; and an offensive and defensive Alliance.

The successive Advantages were the Acquisition of a large Body of the Vizier's Troops, not less than Ten thousand effective Men having been put under the Command of British Officers, which in Reality rendered them the Troops of the Company; and the Reduction of the Nabob's Power to such Limits, that, instead of entertaining Apprehensions of him as a formidable Enemy, he was considered as a useful Ally.

I claim the Merit of having been the successful Instrument of executing your Plans with strict Obedience and Integrity; in the Course of which I was often exposed to personal Danger and embarrassing Situations, in which my own Endeavours could alone operate with Effect.

I cannot avoid mentioning, that after enjoying the Office of Resident at Owde for Two Years, during the Whole of which I had constantly been honoured with the unanimous Approbation of your Board, I was recalled, contrary to the Standing Orders of the Court of Directors. I may venture to assert, that no Part of my Conduct had afforded Grounds for my Recall, which would have been the Punishment had I been guilty of Offence; and that on this Occasion, as there was no Allegation against me, I was not called upon for Defence. Although you were pleased to think my Services merited a Recompence, and actually did me the Honour unanimously to pass a Vote in my Favour for One Lack of Rupees, yet I received less than a Third of it; a Gratification in itself honourable, though in a pecuniary Light but moderate. This is the only Public Reward I ever received for my Services, and which, in Comparison of my Recall, I cannot but deem inconsiderable. On any other Occasion I should not have recurred to this Event; as a Testimony in favour of my Public Conduct I cannot omit it. Permit me to trespass upon your Time, by adding, that the Approbation with which the Court of Directors were pleased to distinguish me, and their Re-appointment of me to my former Station, was founded upon the Grounds of the unanimous Recommendations I received from your Board. The Nature of the Office I am now directed to take Charge of, so different in Point of Importance and Responsibility from that which I formerly held in Owde, must afford a general Conviction, that I have lost that Approbation which was formerly so voluntarily and publicly conferred upon my Conduct. The Reasons which have induced this Change in your Sentiments and Resolutions are to me unknown: I can only flatter myself, that I have done nothing to occasion them: The Consequence to me is however severe.

I shall only add, that my Zeal for the Welfare of the Company is undiminished; and I have still the same Inclination I ever possessed, to serve them to the utmost of my Abilities.

Fort William,
31st October 1780.

I have the Honour, &c.
(Signed) John Bristow.

(P)

Extract of Secret Letter from Bengal, dated 13th October 1780.

Conf.
2d and 3d Oct.

A Motion having been made at one of our late Meetings, for the Re-appointment of Mr. Bristow to the Office of Resident at the Vizier's Court, agreeable to your Orders of the 4th July 1777, and 23d December 1778, and this Question having occasioned some Debate, we beg Leave to refer you to the Proceedings noted in the Margin for every Information we can give you on the Subject of it. Mr. Bristow is appointed Resident at his Excellency's Court, for the Purpose of managing and conducting such Political Negotiations, Correspondence, and Transactions, as this Government may now, or at any future Period, be engaged in with the Vizier; and Mr. Nathaniel Middleton is appointed to be Agent on the Part of this Government, for receiving, collecting, and managing the Tunckaws or Assignments which have been, or may hereafter be granted by the Nabob of Oude, for the Liquidation of our Claims upon him; he is entrusted also with the Adjustment of all Accounts relative to these Claims with the Nabob and his Ministers, with all Disbursements to the Paymasters of the Company's Troops stationed in the Dominions of the Vizier, as also to his Excellency's own Military Establishment under British Officers, and directly amenable to our Authority and Orders.

A P P E N D I X, N° 3, (Q) (R)—N° 4, (A)

(Q)

Extract of the General Letter from Bengal, dated the 29th November 1780.

Par. 48. The Advices transmitted to you by the Trial Packer, will have informed you of a Motion made on the 2d October by Mr. Francis, that Mr. John Bristow be appointed and directed to return to his Station of Resident at Oude; of the Debates which followed the Motion; of the Appointment of Mr. Bristow accordingly; and of the Nomination of Mr. Nathaniel Middleton to be Collector of the Nabob Vizier's Assignments to the Honourable Company. We will not here repeat the Subject, but refer you for a further Explanation of it to our Letter by the Trial abovementioned, and to our Proceedings of the 2d and 3d ultimo.

(R)

Extract of the Company's General Letter to Bengal, dated 11th April 1781:

Par. 15. We trust Mr. Bristow, who concluded the Treaty with Asoph-ul-Dowla in June 1775, would arrive in Bengal soon after the Date of your last Consultations; and as, in Consequence of our Orders, he would also proceed immediately to the Vizier's Court, we entertain the most favourable Expectations of his being able to conciliate the Mind of the Vizier, and to assist him effectually in arranging and restoring his Finances to a more flourishing Condition.

A P P E N D I X, N° 4.

Proceedings respecting Mr. Francis Fowke.

(A)

Extract of the Proceedings of the Governor General and Council, in their Secret Department, dated the 16th August 1775.

At a Council; P R E S E N T,
The Honourable Warren Hastings, Governor General, President,
General Clavering,
Colonel Monson,
Mr. Barwell,
and
Mr. Francis.

GENERAL Clavering moves, That a Company's Servant be sent up to Benares, to carry with him the Sunnuds of Investiture to the Rajah from the Company; and to inform himself of the Nature of the Mint, the Species of Rupees that are coined in it, how much the Person who farmed it paid to the Soubah of Oude, or to his Ministers, in Presents; as likewise with the Nature of the Cutwally, and what the Advantages of it were to the Person who farmed it; in order to make such a Settlement with the Rajah as may be equally advantageous to him and the Company.

Mr. Francis agrees to the Motion.

Mr. Barwell—I looked upon the Motion to be carried by the last Resolution of the Board, and that the Choice of a Person remains only to be determined. The Company, in the extra Charges to which they have already been put, may have Occasion to complain; and as Economy and Dispatch may be equally promoted, I beg Leave to mention Colonel Muir, the Officer commanding at Chunar, as the most eligible Person. Little or no Charges will be incurred by his just moving from Chunar to Benares, and besides, he is the best qualified from his local Knowledge.

Colonel Monson agrees to the Motion of General Clavering.

The Governor General objects to this Motion.

SEL. COM. REP. V.

R

Resolved,

A P P E N D I X, N° 4. (A) (B)

Resolved, A Covenanted Servant be appointed to go to Benares, to take the Sunnuds of Investiture to the Rajah, &c. also to make the Investigations necessary to enable the Board to come to a final Settlement with the Rajah for that Zemindary.

General Clavering moves, That Mr. Francis Fowke be appointed to execute this Service; a young Man exceedingly well qualified, from his Knowledge in the Persian Tongue and his unexceptionable good Character.

Mr. Francis—I believe Mr. Francis Fowke to be perfectly qualified for the Service proposed; and I agree to the Motion.

Mr. Barwell—The unhappy Differences that have prevailed at the Board, the particular Part which Mr. Joseph Fowke has acted since the Commencement of the new Government, the particular Predicament in which he stands at present, I am sorry to observe, makes Mr. Francis Fowke, his Son, the most improper Nomination for a Commission of this Kind that could have been thought of. Nor can I conceive why it should have been thought of, unless for the express Purpose of lowering the Governor General in the Eyes of the Rajah of Benares as well as of all India, by the Selection of this Gentleman. I have no other Objection to Mr. Francis Fowke. Was it in my Power I would serve him, but not at the Expence or in Degradation of the first Character of the State. I therefore wish Mr. Francis Fowke's Nomination may not be carried.

Colonel Monson—I do not comprehend Mr. Barwell's Chain of Reasoning, that the employing an unexceptionable Company's Servant can be any Degradation to the Governor General's Consequence or Honour, or lower his Dignity in the Eyes of the Public: Had Mr. Francis Fowke been an exceptionable Character, there might have been some Degree of Justness in Mr. Barwell's Observation; but as Mr. Barwell himself declares he wishes to serve him, I do not comprehend why he will not on this Occasion testify to Mr. Fowke this Inclination. I believe Mr. Fowke to be qualified for this Appointment; and therefore approve of the Nomination.

General Clavering is for his own Nomination.

The Governor General—I am not surprized at the Motion now before the Board: I expected it at the Time in which it was resolved, in Contradiction to the former Opinion of the Board, to permit Mr. Joseph Fowke to return to Benares. I consider the present Appointment as the Appointment not of Mr. Francis Fowke but of Mr. Joseph Fowke, whose Influence over his Son will reduce the Authority of the latter to a mere Shadow: I therefore disapprove of the Motion; I protest against it.

Agreed, That Mr. Francis Fowke be appointed to proceed to Benares for the Purposes already resolved on.

Ordered, That Instructions be prepared for him accordingly, with a Letter of Credence to Rajah Cheyt Sing.

(B)

Extract of a Letter from the Governor General and Council in Bengal, in their Secret Department, to the Court of Directors of the East India Company; dated 11th September 1775.

Par. 10. In our Letter of the 3d August, of which you will receive a Duplicate by this Ship, you are advised of the Acquisition of the Territories of Rajah Cheyt Sing to the Company, and of the Steps which we had then taken towards settling with him for that Zemindary.—On the 16th of that Month we again took this Subject into Consideration, and called the Vackeel before us, who had received an Answer from his Master to our First Offer; but not being able to ascertain from him the Fineness and Quantity of the Silver of the Gourshay Rupees, in which Coin the Tribute from the Rajah is to be paid, nor the exact Amount which the late Farmers of the Mint and Cutwally at Benares, and the Cutwally at Juanpore, had paid annually to the Nabob and his Officers for the Grant of those Articles, we judged it necessary to appoint a Person to proceed to Benares, to make sundry local Investigations into these and other Points, to enable us to come to a final Adjustment with the Rajah; and we accordingly appointed Mr. Francis Fowke. In the mean Time we agreed that the Rajah should continue to pay at Benares the exact Sum, and in the same Species of Rupees, as he had paid to the late and present Nabobs of Oude; that is to say, 23,72,656.12 Gourshay Rupees, exclusive of the Mint, Cutwally, and other Articles which the Nabob held in his own Right.

(C) Extract

A P P E N D I X, N° 4. (C) (D)

(C)

Extract of Proceedings of Governor General and Council of Bengal, in their Secret Department, of the 2d December 1776.

At a Council; P R E S E N T,
The Honourable Warren Hastings, Governor General, President,
General Clavering,
Mr. Barwell,
and
Mr. Francis.

The Governor General also moves, That Mr. Francis Fowke be recalled from Benares and his Commission annulled; the express Purposes thereof having been accomplished.

Mr. Francis—I need not bring my Opinion in Writing upon either of these Motions. To the First I make no Objection; but as to the Recall of Mr. Francis Fowke, I know no Motive for it; on the contrary, I am satisfied that his Presence at Benares has been of signal Use in preventing the Delays of the Remittance of the Tribute; and to my Knowledge he has done nothing to incur the Displeasure of the Board: I cannot therefore consent to his Recall.

Mr. Barwell—The express Purposes to which Mr. Fowke was first appointed, were, the Investiture of the Rajah, and the settling a Mode for the Remittance of his Tribute; his Commission ceased the Instant the Object of it was accomplished, and Mr. Fowke ought then to have been remanded to Calcutta; he holds no Appointment, and therefore it cannot properly be styled a Removal: I assent therefore to Mr. Fowke's being called to the Presidency.

General Clavering.—In regard to the Recall of Mr. Fowke and the annulling of his Office, I cannot help considering it as a vindictive Measure, couched under the Appearance of Public Service; and therefore dissent to the Motion.

Governor General—I agree to the Motion.

Resolved, That the Motion proposed by the Governor General, be carried in the Affirmative.

The following Letter is accordingly written to Mr. Fowke.

To Mr. Francis Fowke.

Sir,

The Objects proposed by your Appointment to proceed to Benares being now accomplished, we have thought it necessary to annul the Commission which was given you for that Purpose: We therefore direct that you return to this Presidency immediately on Receipt hereof.

We are, &c.

(D)

Extract of a Letter from General Clavering to the Court of Directors, dated 5th December 1776.

The Restraint that I had laid on myself not to infringe further on the Rules of the Service than was necessary, for the Explanation of my Conduct in the Part I am obliged to take, gives Way again to the Obligation I feel myself under in the strict Discharge of my Duty, to acquaint you with some of the last Transactions of the Council after the Departure of the Nassau; as their being undertaken precisely at that Juncture, seems calculated to conceal, as long as possible, the Information of them from your Notice.

The first Subject is the Removal of Mr. Bristow from the Post of Resident with the Vizier, and the Re-appointment of Mr. Middleton. The next is, the Recall of Mr. Francis Fowke from Benares.

Having annexed the entire Consultation on both Subjects, I will forbear to make any Reflections on the Proceedings, leaving it to your Honourable Board to decide how far the Good of your Service has been consulted in removing Two Gentlemen who have each distinguished themselves; the First, in obtaining for the Company an Addition of Thirty Lacks a Year to their former Revenue; and the Second, in re-establishing the Coinage of Benares, by Means of which the exact Amount of the Subsidy is ascertained, and then fixing the Rate of the Remittance on the most advantageous Terms to the Company. As to Mr. Middleton's Re-appointment, you yourselves, Gentlemen, as well as the Proprietors, are too much interested in the Support of your own Dignity, and too sensibly wounded in the Step taken to restore him to an Office from which he had been dismissed, after the solemn Condemnation which you had given on his Conduct, for not submitting his Correspondence to the Supreme Council, for me to mention and lay a Stress on the little Regard the Chief of a Council shews to the Honour of a Government over which he presides, to recommend a Servant to fill any Post till he has made the Satisfaction required of him, not only to the Government in which he serves, but to his Masters and Superiors on whom he ultimately depends.

A P P E N D I X, N^o 4. (E) (F) (G) (H)

(E)

Extract of the Secret General Letter from Bengal, dated 22d December 1776.

Par. 6. The Purposes for which Mr. Francis Fowke was appointed to proceed to Rajah Cheyt Sing at Benares, being now fully accomplished, we have annulled his Commission, and ordered him to return to the Presidency.

(F)

Extract of Proceedings of Governor General and Council of Bengal, in their Secret Department, of the 23d December 1776.

At a Council; P R E S E N T,
The Honourable Warren Hastings, Governor General, President,
General Clavering,
Mr. Barwell,
and
Mr. Francis.

The Governor General moves, That a Civil Servant of the Company be appointed to reside at Benares, on the Part of this Government, for the Purpose of transacting any occasional Business which may arise between this Government and the Rajah of Benares; and that Mr. Thomas Graham may be nominated to this Office, and Mr. Daniel Barwell to be his Assistant.

Mr. Francis—If a Civil Servant was necessary for the Purpose described in the Motion, I conceive that Mr. Francis Fowke was perfectly well qualified for that Office. I have no Objection, however, to either of the Gentleman recommended by the Governor General.

Mr. Barwell agrees to the Motion.

General Clavering—I object to it, and leave the Responsibility of the Measure with the Governor General, who must answer for it.

Resolved, That a Civil Servant of the Company be appointed to reside at Benares on the Part of this Government, for the Purpose of transacting any occasional Business which may arise between this Government and the Rajah of Benares.

Agreed, That Mr. Thomas Graham be nominated to this Office, and that Mr. Daniel Barwell be appointed his Assistant.

(G)

Extract of the Secret General Letter from Bengal, dated 6th January 1777.

Par. 11. We have thought it proper to appoint a Company's Servant to reside at Benares, for the Purpose of transacting any occasional Business that may arise between this Government and Rajah Cheyt Sing. This Appointment has been given to Mr. Thomas Graham; and Mr. D. O. Barwell has been nominated his Assistant.

(H)

Extract of the General Letter from the Court of Directors to the Governor General and Council of Bengal, dated 30th January 1778.

Par. 65. In your Secret Letter of the 19th of December 1776, you inform us, that the Purposes for which Mr. Francis Fowke was appointed to proceed to Benares being fully accomplished, you had annulled his Commission, and ordered him to the Presidency; but it appears, by your Letter of the 6th of January 1777, that in less than Twenty Days you thought proper to appoint Mr. Thomas Graham to reside at Benares, and Mr. Daniel Octavus Barwell to be his Assistant.

66. If it were possible to suppose that a Saving to the Company had been your Motive for annulling Mr. Fowke's Commission, we should approve your Proceedings; but when we find

A P P E N D I X, N° 4. (H) (I)

find Two Persons appointed immediately afterwards, with Two Salaries, to execute an Office which had been filled with Reputation by Mr. Fowke alone, and that Mr. Graham enjoys all the Emoluments annexed to the Office of Mr. Fowke, we must be of Opinion that Mr. Fowke was removed without just Cause, to make room for Mr. Graham; and that the Addition of Mr. Barwell's Salary is a clear Loss of Three hundred Rupees per Month to the Company.

Par. 67. As it was not pretended that Mr. Fowke's Conduct had been exceptionable; as he had executed, with the greatest Punctuality and Exactness, the like Office to which you have now appointed Mr. Graham; and as the Dissent of Mr. Francis and the Protest of General Clavering on the Occasion had no Effect, we think it proper to interfere; and therefore direct that Mr. Francis Fowke be immediately re-instated in his Office of Resident and Paymaster at Benares. We, however, think proper to declare, That though we mean by this Order to do an Act of public Justice, we by no Means intend it as a Mark of Disapprobation of the Conduct of Mr. Graham, whom we believe to be a very deserving Servant of the Company.

(I)

Extract of Proceedings of the Governor General and Council, in their Public Department,
20th July 1778.

At a Council; P R E S E N T,
The Honourable Warren Hastings, Governor General, President;
Richard Barwell,
Philip Francis,
and
Edward Wheler, } Esquires.

Read the General Letter, dated 30th January last, received from the Honourable the Court of Directors by the Grosvenor and Osterly.

Agreed, That the Paragraphs belonging to the different Departments of the Service, be distributed.

64, 65, 66, and 67. Governor General—I must request that the Board will suspend the Execution of this Order—The Spirit and Intention of it is evident, and publicly known both in England and here. With these Considerations in View, my Consent to the Recall of Mr. Graham would be adequate to my own Resignation of the Service, because it would inflict such a Wound in my Authority and Influence, that I could not maintain it. In the Course of a few Days we may expect to hear of the Resolutions which have been taken by our Superiors, and of the Appointments which have been made to fill the Vacancy occasioned in this Government by the Death of the late Sir John Clavering: These will be likewise decisive of my own Situation in the Service. I need not say more to urge the Propriety of suspending the Execution of this Order of the Court of Directors. Mr. Thompson, in his Letter from Marseilles, dated the 18th of April, mentions that a Packet, containing the News of the General's Death, had been dispatched to London from that Port, from His Majesty's Agent there, Seven Days before, and it is probable that the Swallow carried this Intelligence earlier; we may therefore expect that the Caranja, which was to depart from Suez immediately on Receipt of the Confirmation of the War, will bring us those decisive Orders which I look for; and these may arrive To-morrow, or in the Course of a very few Days.

Mr. Francis—The Court of Directors order Mr. Francis Fowke to be *immediately* re-instated in his Office. To suspend the Execution of such an Order, is to disobey it. In another Part of the same Letter (Par. 41) they say, "We can on no Account permit our Orders to be disobeyed, and "our Authority disregarded." When the Company's Orders to me are clear and positive, I do not deem myself at Liberty to withhold my Obedience to them on any Consideration whatever; unless a new Situation of Affairs, unknown to and unforeseen by the Court of Directors, should make it impracticable or dangerous to carry them into Execution: I am therefore against the Motion.

Mr. Wheler—I am of Opinion that the Order should be immediately carried into Execution.

Mr. Barwell—While Mr. Hastings is in the Government, the Respect and Dignity of his Station should be supported; in these Sentiments I must decline an Acquiescence in any Order which has a Tendency to bring the Government into Disrepute. As the Company have the Means and the Power of forming their own Administration in India, they may at their Pleasure place whom they please at the Head; but, in my Opinion, they are not authorized to treat a Person in that Post with Indignity.

Resolved, That the Execution of this Order be suspended.

Mr. Francis—I beg Leave to enter my Dissent to this Resolution.

APPENDIX, N° 4. (J) (K) (L)

(J)

Copy of a Letter from Mr. Francis Fowke to the Secretary of the Superior Council in Bengal.

To J. P. Auriol, Esquire, Secretary to the Honourable the Superior Council.

Sir,

Calcutta, 21st July 1778.

My Friends in England having transmitted to me a Notification in Form, which they have received, importing, that an Order of the Honourable the Court of Directors, for my instant Re-appointment to the Post of Resident at Benares, was transmitted by the Grosvenor; and a considerable Time being now elapsed since the Receipt of the Packet; I humbly request of the Honourable Board, that I may be informed of any Resolutions which may have passed in consequence of the above Order, and that I may be furnished with a Copy of their Proceedings upon the Subject.

I am, Sir,

Your obedient humble Servant,

Francis Fowke.

(K)

Copy of a Letter from the Secretary of the Superior Council in Bengal, to Mr. Francis Fowke.

To Mr. Francis Fowke.

Sir,

In consequence of your Address to the Honourable the Governor General and Council, requesting to be informed of any Resolutions which may have passed on the Orders of the Court of Directors respecting you, and to be furnished with a Copy of the Proceedings upon the Subject, I am directed to transmit you the inclosed Extract of the Consultation 20th Instant.

I am, Sir,

Your most obedient Servant,

Council Chamber,
the 29th July 1778.

J. P. Auriol.

Extract of Consultation of 20th July 1778.

Read the General Letter, dated the 30th January last, received from the Honourable the Court of Directors by the Grosvenor and Osterly.

Par. 64, 65, 66, and 67. Resolved, That the Execution of this Order be suspended.

A true Extract.

J. P. Auriol, Secretary.

(L)

Copy of a Letter from Mr. Francis Fowke to the Governor General and Council in Bengal.

To the Honourable Warren Hastings, Esquire, Governor General, &c. Superior Council of Fort William.

Honourable Sirs,

I acknowledge, with great Thankfulness, your Condescension in conveying to me, through Mr. Secretary Auriol, the Resolution you have passed to suspend the Execution of the Company's Order, dated 30th January 1778, directing that "Mr. Francis Fowke be immediately re-instated in his Office of Resident and Paymaster at Benares." By this Indulgence, I have an Opportunity afforded me of humbly remonstrating against the Severity of your Sentence, which is nearly equal to Dismissal from the Service.

An Order of the Court of Directors, made public only a few Days ago, positively forbids any Covenanted Servant to return to England, under any Pretence of obtaining Redress there for Injuries received here, without first making an Appeal to them through the Channel of the President and Council Abroad. The Existence of this Order necessarily supposes that no Covenanted Servant can be dismissed or suspended from his Offices in India without some previous Trial, at least some Charge, or some Accusation to which he may be suffered to reply: On any other Supposition the Court of Directors can have no Materials lying before them to conduct their Judgment of his Merits. I stand
exactly

APPENDIX, N° 4. (L) (M) (N)

exactly in this Predicament, and submit to your Candour to determine, whether the Case be not a hard one. I see a simple Resolution which suspends me from my Offices, and am left to guess at the Causes which influence it. In such a Situation I cannot be free from Anxiety. Conscious of my own Innocence and Integrity, I *will* hope that your Justice will relieve me. If there are any Accusations laid against me, let my Accusers stand forth, let me answer them Face to Face: I must believe there are some; because I am confident your Justice would not permit me to be condemned on *no* Grounds, however you might have mistaken them.

I am sensible that my Situation obliges me to the most perfect Submission to your Orders; yet, as my own Honour, and that of my Family, will not allow me to sit silent under a Disgrace, it was a Duty incumbent upon me to defend my Reputation. In the Offices I have filled, I have strictly adhered to my Duty, and cannot charge myself with having ever been deficient in Respect to my Superiors. The same Conduct I shall ever observe. If you find, on a candid Examination, that the Merit I lay claim to is my Due, I trust that your Honourable Board will be pleased to carry into Execution the Honourable the Court of Directors Orders for my immediate Re-appointment to the Offices of Resident and Paymaster at Benares.

Calcutta,
12th August 1778.

I remain, with the greatest Respect,
Honourable Sir, and Sirs,
Your most faithful
and most obedient Servant;
Francis Fowke.

(M)

Extract of the General Letter from Bengal, dated 17th August, 1778.

Par. 25. We have resolved to suspend the Execution of that Part of your Commands, dated 30th January last, which relate to Mr. Francis Fowke; and must beg Leave to refer you to our Records for the Motives which swayed with us in this Instance.

(N)

Extract of the Proceedings of the Governor General and Council of Bengal, in their Public Department, of the 7th September 1778.

At a Council; PRESENT,
The Honourable Warren Hastings, Governor General; President;
Mr. Barwell;
Mr. Francis;
and
Mr. Wheeler:

Read a Letter from Mr. Fowke:

Mr. Francis—I move, that the Secretary may be directed to inform Mr. Francis Fowke, that the Board have no Reason to be dissatisfied with any Part of his Conduct in the Company's Service; and that no Charge has been preferred against him to the Board.

Mr. Wheeler—I agree to the Motion.

Mr. Barwell—The Board having already denied to Mr. Fowke the Satisfaction he required; by ordering simply the Resolution of the Board to be furnished by the Secretary, I move the previous Question.

Mr. Wheeler and Mr. Francis against the Motion.

Governor General—I am for the previous Question. All Applications of this Kind are irregular; the Board are not accountable to Mr. Fowke for their Resolution respecting him—The Reasons for suspending the Execution of the Orders of the Court of Directors contain no Charge, nor the slightest Imputation of a Charge, against Mr. Fowke; but I see no Reason why the Board should condescend to tell him so.

The previous Question being carried,
Resolved, That Mr. Francis's Question be not put:

(O) Extract

A P P E N D I X, N^o 4.

(O)

Extract of Proceedings of the Governor General and Council of Fort William in Bengal, in their Public Department, of 1st April 1779.

Mr. Francis—I move, that the 65th, 66th, and 67th Paragraphs of the Company's General Letter of the 30th of January 1778, and the Proceedings of this Board of the 20th July 1778, be now read.

Read the 65th, 66th, and 67th Paragraphs of the General Letter, dated 30th January 1778, and the Proceedings of the 20th July 1778, which are entered in this Place by the Desire of the Governor General. (Vide his Minute.)

Extract General Letter, 30th January 1778.

Par. 65. In your Secret Letter of the 19th of December 1776, you inform us, that the Purposes for which Mr. Francis Fowke was appointed to proceed to Benares *being fully accomplished*, you had annulled his Commission, and ordered him to the Presidency; but it appears by your Letter of the 6th of January 1777, that, in less than Twenty Days, you thought proper to appoint Mr. Thomas Graham to reside at Benares, and Mr. Daniel Octavus Barwell to be his Assistant.

Par. 66. If it were possible to suppose that a Saving to the Company had been your Motive for annulling Mr. Fowke's Commission, we should approve your Proceedings; but when we find Two Persons appointed immediately afterwards, with Two Salaries, to execute an Office which had been filled with Reputation by Mr. Fowke alone; and that Mr. Graham enjoys all the Emoluments annexed to the Office of Mr. Fowke; we must be of Opinion, that Mr. Fowke was removed without just Cause to make room for Mr. Graham, and that the Addition of Mr. Barwell's Salary is a clear Loss of Three hundred Rupees per Month to the Company.

Par. 67. As it was not pretended that Mr. Fowke's Conduct had been exceptionable; as he had executed, with the greatest Punctuality and Exactness, the like Office to which you have now appointed Mr. Graham; and the Dissent of Mr. Francis, and the Protest of General Clavering on the Occasion had no Effect, we think it proper to interfere; and therefore direct Mr. Francis Fowke be immediately re-instated in his Office of Resident and Paymaster at Benares. We, however, think proper to declare, that though we mean by this Order to do an Act of Public Justice, we by no Means intend it as a Mark of Disapprobation of the Conduct of Mr. Graham, whom we believe to be a very deserving Servant of the Company.

Extract Consultation, 20 July 1778.

Governor General—"I must request that the Board will suspend the Execution of this Order; the Spirit and Intention of it is evident, and publicly known both in England and here. With these Considerations in View, my Consent to the Recall of Mr. Graham would be adequate to my own Resignation of the Service, because it would inflict such a Wound in my Authority and Influence that I could not maintain it. In the course of a few Days we may expect to hear of the Resolutions which have been taken by our Superiors, and the Appointments which have been made to fill the Vacancy occasioned in this Government by the Death of the late Sir John Clavering; these will likewise be decisive of my own Situation in the Service. I need not say more to urge the Propriety of suspending the Execution of this Order of the Court of Directors. Mr. Thompson in his Letter from Marseilles, dated the 18th April, mentions that a Packet, containing the News of the General's Death, had been dispatched to London from that Port, from His Majesty's Agent there, Seven Days before, and it is probable that the Swallow carried this Intelligence earlier; we may therefore expect that the Caranja, which was to depart from Suez immediately on Receipt of the Confirmation of the War, will bring us those decisive Orders which I look for; and these may arrive To-morrow, or in the Course of a very few Days.

"Mr. Francis—The Court of Directors order that Mr. Francis Fowke be *immediately* re-instated in his Office. To suspend the Execution of such an Order is to disobey it. In another Part of the same Letter (Par. 41.) they say, "We can on no Account permit our Orders to be disobeyed, and our Authority disregarded." When the Company's Orders to me are clear and positive, I do not deem myself at Liberty to withhold my Obedience to them on any Consideration whatever, unless a new Situation of Affairs, unknown to and unforeseen by the Court of Directors, should make it impracticable or dangerous to carry them into Execution: I am therefore against the Motion."

"Mr. Wheeler—I am of Opinion that the Order should be immediately carried into Execution.

"Mr. Barwell—While Mr. Hastings is in the Government, the Respect and Dignity of his Station should be supported; in these Sentiments I must decline an Acquiescence in any Order which has a Tendency to bring the Government into Disrepute. As the Company have the Means and the Power of forming their own Administration in India, they may at their Pleasure place whom they please at the Head; but, in my Opinion, they are not authorized to treat a Person in that Post with Indignity.

"Resolved, That the Execution of this Order be suspended.

"Mr. Francis—I beg Leave to enter my Dissent to this Resolution."

Mr. Francis—I move, that the Company's Orders, contained in the preceding Paragraphs, be carried into Execution; that Mr. Francis Fowke be immediately re-instated in his Office of Resident and Paymaster at Benares, and that Mr. Thomas Graham be ordered to deliver over Charge of those Offices forthwith to Mr. Francis Fowke.

The

(1) A P P E N D I X N° 4. (O)

The Governor General—I have expected this Motion, and I expect many more of a similar Nature to be introduced by Mr. Francis, for the Purpose of forcing the new Member of this Government to declare himself a Party in Disputes in which he has no Concern, and in which, I will venture to express my Belief that it is not his Wish to be involved. The Order of the Company which has been read, was addressed to this Administration before Sir Eyre Coote was a Member of it; it was also read, and a Resolution passed upon it, before Sir Eyre Coote's Appointment: I presume therefore to say, that it is irregularly brought before the Board at this Time; for though his Voice may now be required, and may be given upon the Motion, yet as it respects the Act of a former Administration, and an Act already done, the Responsibility of that Act rests only with those who constitutionally passed it, and ought not to be thrown upon him unless he himself is desirous that it should be revised, and that he may participate in it. If our Records are to undergo a new Scrutiny, and every Measure which they contain, to be examined by the Scale of the Company's Orders, or by the Judgment of the present Administration, the Time of the Board will not suffice, even in a Daily Meeting of it, for so multiplied a Research, and for the Debates which must necessarily accompany it. If this Retrospect is not to affect all the Resolutions and all the Measures of the First Government, on what Principle is a Selection made of a Question which has its Basis in a Party Distinction, and is determinable only by Party Principles. The Resolution for suspending the Execution of the Company's Orders on the 20th July 1778, was notified to the Court of Directors in our Dispatches by the Eagle Packet, dated the 17th August: Their Answer may be received, and ought to be expected, before the Period which the Act of Parliament has prescribed for the Duration of this Government: To prevent their Orders, by an intermediate Decision of a Point of such Magnitude, referred to them, is neither, in my Judgment, consistent with the Respect which is due to their Authority, nor with the actual State of this Government, already oppressed with Difficulties which demand the strenuous and united Exertion of all its Powers, and which it tends to throw into utter Confusion: And for what, let the Person who made the Motion say. What is the Object of it? Is the Re-instatement, as it is called, of Mr. Francis Fowke, to an Office which he never held, of such weighty Consequence to the Interest of the East India Company, and of the British Nation in India, that for this the First executive Member of their First Government must be treated with Insult, and either keep his Seat to be a Partaker of a Scene of Anarchy and Confusion during the short but momentous Interval which remains of the Power which we unitedly hold, or leave it, and a Government embarrassed with new and perhaps greater Distractions?

I desire that the Paragraphs of the General Letter, and the Extracts of our Proceedings which have been read, may be entered after the First Motion made by Mr. Francis: I most earnestly recommend them to the serious Attention and Reflection of the other Members of this Board, and to those of the Commander in Chief most especially. I hope that the Decision on this Question will not be precipitated; that the Consequences of it may be weighed before an Act so critical and decisive be irrevocably passed. I came unprepared for it, not ignorantly, indeed, that it would be brought on at an early Time, for the Public Voice has loudly announced it; but I did not expect to be surprized with it on a Day, and in a Department devoted to Business, from which this is entirely foreign: I therefore hope and request that the other Members will suspend their Decision until the next Meeting of the Board in the General Department.

Mr. Francis—The present Question does not properly lie between the Governor General and me, but between this Board and that Authority which the Legislature has placed over us. The Propriety of waiting for further Orders, when we have positive Orders before us, may at any Time be pleaded with equal Reason as at present, and may as easily defeat any future Orders, however peremptory, in Confirmation of the past, as those which we have already received. The personal Appeal made to Sir Eyre Coote obliges me to take this Opportunity of assuring him, that I will never bring any Question of this Nature forward, in which it will be possible for a Member of this Board to take Part against me, without at the same Time taking Part against the Court of Directors; as for the rest, I shall content myself with saying, that the Governor General has formed a very erroneous Judgment of my Intentions.

If the Public Voice has already announced my Design to introduce the present Motion, it is a strong presumptive Proof of the Public Expectation, and, as I think, of their Judgment, upon the Resolution which I propose to have reversed: As for myself, I declare upon my Honour, and if there be that Man living who can contradict me let him come forward, that I never, directly or indirectly, or by the most distant Intimation, acquainted any Person not a Member of this Board, of my Design to move the present Question. As the Governor General expected it, and as the Question itself is of a very plain and simple Nature, I think there is no Ground for deferring the Decision of it; at all Events I have done my Duty, and shall give the Board no further Trouble.

Sir Eyre Coote—Being called upon by my King and Country to fill a Post in this Part of the World of the highest Importance to the State, it was with the greatest Diffidence I undertook that Service, well knowing the great Difficulties I had to encounter from the unfortunate Differences which had arisen among the Members of the Supreme Council: I therefore determined not to take a Part in those Differences, it being in my Opinion the surest Method that I could devise of putting an End to them; and conceiving that any Kind of Retrospect would prove fatal to my Wishes, was determined to prevent them as much as lay in my Power, by bringing forward no Matter, the Decision of which I was not immediately answerable for the Consequences of; paying at the same Time implicit Obedience to the Orders of the Court of Directors, which I am determined to adhere to for my Line

A P P E N D I X N° 4. (O) (P)

of Conduct. I agree to suspend the Decision of the Question till the next Meeting of the Council in the General Department.

Mr. Wheler—It cannot be considered precipitate in me to give an immediate Opinion upon the present Question, my Sentiments being already recorded; I therefore, to prevent the Implication of giving an hasty Opinion, desire Leave to record my further Sentiments at this Meeting of the Board.

Mr. Barwell—I feel much concerned on the present Occasion. The forcing on a Question on a Matter that has passed Judgment, and which if decided must be a Confirmation or Reversion of that Judgment, independent of the Authority to which it is submitted, will, I fear, not tend to conciliate the Differences of the Board, which I flattered myself might have drawn to a Period. The Consequences are very obvious. I hope, however, the Temper and Moderation of Sir Eyre Coote will decide for terminating the Distractions which have hitherto prevailed. It is with great Pleasure I observe, in the Delivery of Sir Eyre Coote's Sentiments, a Resolution so decidedly expressed of consulting alone the Honour and Interest of the Government, and fixing our Councils, if possible, to that particular Point only. I am so well aware of the Consequences to result from hastily deciding on an Act of the Administration, under the present Change in its Circumstances, in the Arrival of Sir Eyre Coote, that I entirely concur in the Wish expressed by the Governor General, to suspend the Question.

Mr. Wheler—As the Members of the Board have not objected to my Request of entering my Opinion upon the main Question, I beg Leave to do it in the following Words: That as I cannot discover, either in the Minute entered by the Governor General, or in the 25th Paragraph of our General Letter to the Court of Directors of the 17th August, by the Eagle Packet, the Shadow of an Argument that can induce me to alter my former Opinion, much less justify me in the Disobedience of a positive Order from the Court of Directors, I am for the Question.

Resolved, That the Decision of the Question proposed by Mr. Francis be suspended until the next Meeting of the Board in this Department.

(P)

Extract of Proceedings of the Governor General and Council of Fort William in Bengal, in their Public Department, 5th April 1779.

Mr. Francis's Motion, recorded in the last Consultation, being now again taken into Consideration;

Lieutenant General Sir Eyre Coote delivers in the following Minute:

Since the last Meeting of the Board in this Department, I have had Time to reflect very maturely upon the Nature and Tendency of the Question now depending.

In my former Minute upon the Subject, I declared the Two ruling Principles of my Conduct to be, the Desire of avoiding every Kind of Retrospect, and a firm Resolution to pay an implicit Obedience to the Orders of the Company.

And however difficult it may seem to reconcile an Adherence to both under the present Circumstances; since by passing an Opinion on the Question, I should seem to swerve from the one, and by declining it, to lose Sight of the other; I yet flatter myself, that the Conduct which agrees with my own Feelings, will also meet the Approbation of this Board.

I declare therefore, that had I had the Honour of a Seat here, at the Time the Company's Instructions, respecting Mr. Fowke were received, I should certainly have joined most heartily with those Gentlemen who were for putting them into immediate Execution, as I shall ever do in regard to any future Orders which may be given by the Company while I remain in the Service.

But as the Whole of this Transaction passed before my Arrival, and as the Result of the last Proceedings thereupon now lay before the Directors for their ultimate Decision, I desire to wave the giving any present Opinion upon it, and to reserve my Vote till their Orders are received, when I shall most assuredly give it in Support of them.

Calcutta, 5th March 1779.

Eyre Coote.

Mr. Francis—The Question is, Whether a positive Order of the Court of Directors shall or shall not be obeyed? I suppose it is hardly necessary for me to say what my Opinion is: I act in Conformity to it in giving my Vote for the Question.

Mr. Barwell—Mr. Francis must excuse me if I cannot receive the Question as it stands explained by him. I apprehend no one who shall take the whole Subject into his Consideration, will allow it to be so compendious. It is not a Question on the Company's Orders; however, I am willing to suppress the Reflections that arise in my Mind, to the Harmony of our future Councils. I am against the Question.

The Governor General—It is unnecessary to express any further Sense, either of the Question or the Manner in which it has been concluded: I shall therefore only say, that I am against the Question.

Mr. Francis's Question resolved in the Negative.

Mr. Francis—I beg Leave to enter my Dissent and Protest against the Resolution.

A P P E N D I X, N° 4. (Q) (R) (S) (T) (U)

(Q)

Extract of the General Letter from Bengal, dated the 22d April 1779.

Par. 12. A Motion was made at one of our Meetings, That the Orders contained in the 65th, 66th, and 67th Paragraphs of your General Letter of the 30th January 1778, should be carried into Execution: The Question was resolved in the Negative; and we beg Leave to refer you to our Proceedings on this Subject for your more particular Information.

(R)

Extract of the Company's General Letter to Bengal, dated 14th May 1779.

Par. 4. In Answer to the 25th Paragraph of your Letter of the 17th August last, respecting the Appointment we assigned to Mr. Francis Fowke, we only remark, that as the Consultations are not yet before us, we must defer our Decision on the Subject; and hope the Reasons which swayed you so far as to induce you to suspend the Execution of a positive and peremptory Order of the Court of Directors, will be found sufficient to justify your Conduct on that extraordinary Occasion.

(S)

Extract of the Company's General Letter to Bengal, dated 27th May 1779.

Par. 40. We have read with Astonishment your formal Resolution to suspend the Execution of our Orders relative to Mr. Francis Fowke; your Proceedings at large are now before us. We shall take such Measures as appear necessary for preserving the Authority of the Court of Directors, and for preventing such Instances of direct and wilful Disobedience in our Servants in Time to come. At present we repeat the Commands contained in the 67th Paragraph of our Letter of the 30th January 1778, and direct, that they be carried into immediate Execution.

(T)

Extract of the Proceedings of the Governor General and Council, in their Public Department, dated 27th February 1780.

At a Council; P R E S E N T,
The Honourable Warren Hastings, Governor General, President,
Philip Francis, } Esquires.
Edward Wheler, }
Mr. Barwell indisposed.

Read the 40th Paragraph of the General Letter from the Honourable the Court of Directors, dated 27th May 1779.

Agreed, That Mr. Francis Fowke be appointed Resident at Benares, in Conformity to the Intention of the Court of Directors; and that Mr. Thomas Graham be directed to deliver over the Charge of that Office to him on his Arrival there.

(U)

Extract of the General Letter from Bengal, dated 3d March 1780.

Par. 46. We have the Honour to acquaint you, That in Conformity to your last Commands of the 27th May 1779, Mr. Francis Fowke has been appointed Resident at Benares, and Mr. Thomas Graham recalled from the Station.

(V) Extract

(V)

Extract from Bengal Secret Consultations of the 14th of January 1781.

Governor General—While this Government is charged with such extensive Concerns, and hath to contend with Difficulties equal perhaps to those in which even the Supreme Administration of the British Empire is at this Moment involved, it may at least claim as a Right, which, under any other System of Government that hath ever yet existed, would be conferred on it as an indispensable Obligation, to employ and exercise the Powers which are inherent in its Constitution, and which are immediately necessary to the Support, and eventually to the Existence, of those essential Interests which it holds in Charge. On this Principle, I claim the Right of nominating the Agent of my own Choice to the Residency of Benares. It is a representative Station, and cannot, without a Contradiction, be the Charge of a Man not preferably chosen to it by the Members of the actual Government, and holding it by an Authority independent of theirs. Speaking for myself alone, it may be sufficient to affirm that Mr. Francis Fowke is not my Agent; that I cannot give him my Confidence; that while he continues at Benares, he stands as a Screen between the Rajah and this Government, instead of an Instrument of Controul; and that the Rajah himself, and every Chief in Indostan, will regard it as the Pledge and Foundation of his Independence.

To Mr. Fowke himself I have no personal Objection; I approve his Conduct, and esteem his Character; and I believe I might depend upon his exact and literal Obedience and Fidelity in the Execution of the Functions annexed to it. My Objection is stated above, and it is insuperable.

The Person whom I have chosen to succeed him, I consider as standing in the same Degree of Confidence and Estimation with Mr. Wheler as myself. I adopted him (if I may so express myself) from his Family and Patronage, and assigned him an Office of the highest Trust near my own Person, with Mr. Wheler's Approbation; and from a Foresight of the Event which has since made us the Copartners of this Government, and which suggested to me the Propriety of employing such Agents as would be agreeable to him, while they possessed the other Requisites for my own Confidence.

I therefore think him, on every Consideration, the fittest to fill the Office in question. I therefore move, that Mr. Francis Fowke be immediately removed from the Residency of Benares; and that Mr. Markham may be appointed to it in his stead.

While I thus acquit myself of what I conceive to be a Public Duty, it is my Desire at the same Time to indemnify Mr. Fowke from the Consequences personally attending it towards him. I therefore move, That he be at the same Time invested with the Appointment of Agent for all Boats to be employed for the Military Service of this Establishment, with an Allowance of a Commission of 15 per Cent. upon all his Disbursements in this Office; that the executive Charge thereof take place from the Period of the Expiration of Colonel Morgan's present Contract; and that till that Time, and for Three Months following it, he be allowed to draw his present Allowance of 1000 Rupees per Month.

I propose this Method in Preference to a Contract, because I am convinced from Experience that the Service will be better performed by this Alteration, although it is liable to One material Objection in its natural Influence in his Expences. This is a Defect which can only be corrected by the Probity of the Person who is intrusted with so important a Charge; and I am willing to have it understood as a Proof of the Confidence which I repose in Mr. Fowke, that I have proposed his Appointment, in Opposition to a general Principle, to a Trust so constituted.

Mr. Wheler—I accede to the Propriety of the Governor General's Arguments, and think them particularly applicable to the present State of this Government. I am also highly flattered by the Choice the Governor General has made of a Gentleman to fill this important Station, who was formerly under my Patronage, and who is still in my Confidence. But as Mr. Fowke has not yet signified his Willingness to accept of the Compensation proposed to him in Exchange for his present Appointment, I must decline giving my Assent to his immediate Removal.

The Governor General's Motion being agreed to,

Resolved, That Mr. William Markham be accordingly appointed Resident at Benares, and Mr. Benn his Assistant.

Resolved, That Mr. Francis Fowke be invested with the Appointment of Agent for the Provision of all Boats to be employed for the Military Services of this Establishment, with an Allowance of a Commission of 15 per Cent. upon all his Disbursements in this Office; the executive Charge of which is to take place from the Period of the Expiration of Colonel Morgan's Contract, and that to that Time, and for Three Months following it, he be permitted to draw the present Allowance of 1,000 Rupees per Month.

A P P E N D I X, N° 4. (W) — N° 5. 6, (A)

(W)

Extract of the Secret General Letter from Bengal, dated 27th April 1781 : Received by the Bellmont
5th February 1782.

Par. 46. Mr. Francis Fowke having been recalled from his Residency at Benares, and appointed Agent for the Provision of Boats to the Army, after the Expiration of the present Contract, we have appointed Mr. William Markham to that Residency.

A P P E N D I X, N° 5.

Copy of the 20th Article of the Company's General Instructions to the Governor General and Council of Bengal, of the 29th March 1774.

IF any of the Company's Servants, Civil or Military (except the Members of our Board of Trade, whom we do not make liable to your Suspension) shall at any Time be suspended by you from the Execution of his Office, or any Vacancy shall happen by Resignation or Death, it is our Order and Direction; that the Person next in Rank, Office, or Rotation, be appointed to supply such Vacancy in our Civil or Military Service, until our Pleasure shall be known. We also further direct, that before the Removal of any Company's Servant from any Office, the Party be made acquainted, in Writing, with the Accusation preferred against him; that he be summoned to make his Defence, having a reasonable Time allowed him for that Purpose; and that you proceed on all such Occasions with the greatest Tenderness and Circumspection. And we further direct, that all such Charges made before you against any of our Servants in your Department, with all Proceedings thereon, be regularly entered upon your Consultations, and with them transmitted to us.

A P P E N D I X, N° 6.

Proceedings respecting Mahomed Reza Cawn.

(A)

Extract of General Letter to Bengal, dated 3d March 1775:

Par. 39. **W**E have examined the separate Consultations of our President and Council respecting Mahomed Reza Cawn, and embrace the present Opportunity of testifying our Approbation of their Conduct during the Whole of that Enquiry. And although the particular Informations transmitted us against Mahomed Reza Cawn, and those general and alarming Accounts of Oppressions with which the Records of our Presidency of Fort William abounded, must have rendered it our indispensable Duty to have his Administration scrutinized; we are nevertheless well pleased on finding him able to exculpate himself from all Charges brought against him to the Satisfaction of our Servants, notwithstanding they on the Spot had deemed them so well founded as to entertain no Doubt of fixing on him Facts sufficient to justify our Censure, and to warrant his Dismissal from Public Employment.

40. These being the Sentiments of our President and Council relative to Mahomed Reza Cawn's general Conduct, we cannot but notice also, that their Ideas respecting the Arrears due from him to the Circar, were nearly similar to our own, as appears by their Letter of the 10th December 1772; wherein they inform us, that they had great Reason to believe, on a Scrutiny into Mahomed Reza

A P P E N D I X, N^o 6. (A) (B)

Cawn's Dacca Accounts, a Balance would appear against him of upwards of Seventeen Lacks of Rupees.

41. If our Governor and Council at Fort William had Reason to be of Opinion, that the Result of an Enquiry would issue as above mentioned, we cannot but conclude, there must have been such public and general Appearances of Mal-administration, as warranted the particular Information communicated to us, and rendered it absolutely necessary for us to use the most speedy and effectual Means in our Power for delivering the Natives from apparent Tyranny and Oppression, and for recovering to the Nabob, or to the Company, the Amount of all Monies supposed to have been embezzled or misapplied by Mahomed Reza Cawn, or outstanding in his Hands on Account of the Revenues.

It was on these Grounds we directed an Enquiry to be made; and though it has not been proved that Mahomed Reza Cawn was intentionally oppressive in collecting Grain, or that he reaped pecuniary Advantages from that Article in the Time of the Famine; yet to those Persons who suffered by his Measures, the Interference of him and his Agents was at Times a real Grievance, and a sufficient Ground for their Complaint; ignorant as they must have been of the Directions of the Governor and Council to Mahomed Reza Cawn, to use his utmost Endeavours to procure Grain for the Use of the City of Moorshedabad, and for the Subsistence of the Troops.

In regard to the Dacca Revenue, we have already declared that the different Reports of our Governor and Council, from Time to Time, have been unsatisfactory to us; and we are far from being convinced, by the Materials now before us, that Mahomed Reza Cawn is not indebted to the Circar in a very considerable Sum, or that he ought not to be compelled to fulfil the Engagements entered into for the Chucklah of Dacca. The general Words under the Handwriting of Meer Jaffier, supposing both the Papers authentic, are of little Importance, and can never be construed to annul the positive Agreement which appears under the Seal of Mahomed Reza Cawn; and as to his Plea of having executed that Instrument by Compulsion, merely to gain Time and to save his Life, it wants every necessary Proof to render it effectual.

44. Under these Circumstances, and because we find the Nabob, Meer Jaffier, at the Time of his Death, indebted to the Company in the Sum of Rupees 16,69,758, we cannot deem ourselves warranted to cancel the Obligation in question; but in Consideration of the Inconveniences which Mahomed Reza Cawn may have experienced during the Time of his Examination, we direct that you suspend our Claim for the Arrear of the Dacca Revenue.

45. After declaring ourselves thus favourably on the Case of Mahomed Reza Cawn, we have only to add, that as we wish him to remain under no other Obligations to us than those of Gratitude, we therefore can have no Objection to his total Enlargement.

46. The Conduct of Nundcomar, in the Part he has taken against Mahomed Reza Cawn, appears to us so very inconsistent and unworthy, that we feel a Repugnance to the Continuance of his Son in the high Office of Roy Royan of the Province. And as the Acquittal of Mahomed Reza Cawn warrants us again to employ him, we direct that, if he can with Propriety accept of that Office under the Regulations and Restrictions established by our President and Council, and with the Salary granted to Raja Gourdas for executing the same, he be forthwith appointed thereto, and receive a proper Khelaut, and such other Marks of Distinction as are usually conferred on Natives on like Occasions. *We mean not by this Appointment to restore Mahomed Reza Cawn to any improper Degree of Power, but merely to testify our Satisfaction on finding his former Conduct has been so much better than we expected.*

47. And in regard to Raja Gourdas, though we cannot consent to his remaining Roy Royan of the Province, yet, in Consideration of the favourable Character we have received of him, we have no Objection to his being appointed to any Office of less Importance, if you shall be of Opinion that his Behaviour has entitled him to such a Mark of our Indulgence.

(B)

Extract of Bengal Secret Consultations, 16th October 1775.

Read the 39th to the 47th Paragraphs of the General Letter from the Court of Directors, dated the 3d March 1775.

As it is evident from these Paragraphs, that the Court of Directors were not aware of the Nature of Raja Gourdas's Appointment when they supposed that he was Roy Royan of the Provinces, whereas in fact the Appointment which he received from the late President and Council, or rather from the Begum through their Recommendation, was that of Duan of the Nizamut and Bhela, or Offices of the Nabob's Household, the Office of Roy Royan having been conferred much about the same Time on Mharaja Rajabullub by the late President and Council, and both since confirmed by the Court of Directors.

The Governor General desires that the Opinion of the Board may be taken, in what Sense the Orders of the Court of Directors, contained in this Paragraph, shall be received, both with respect Raja Gourdas and Mahomed Reza Cawn; and that Orders may be issued accordingly.

Mr. Francis—I am by no Means clear in the exact Sense to be affixed to this Paragraph; it seems to me to be liable to a Question, Whether, conformably to the Intentions of the Court of Directors,

Mahomed

A P P E N D I X, N° 6. (B) (C)

Mahomed Reza Cawn should be Roy Royan, or whether he should be appointed to the Post actually held by Raja Gourdas? I do not think that it is absolutely necessary to determine this Question immediately; and could wish that the Decision of it might be deferred for a few Days. In the mean Time, I see no Reason why the Paragraphs relating to Mahomed Reza Cawn may not be communicated to him. Mr. Francis therefore moves, That the Consideration of the Governor General's Motion be deferred till the next Board Day.

Agreed, That the Consideration of the Paragraphs relative to Mahomed Reza Cawn be deferred until the next Council Day.

(C)

Extract of Bengal Secret Consultations, 18th October 1775.

Resumed the Consideration of the Paragraphs 39 to 47 of the General Letter from the Court of Directors, dated the 3d March, and the Governor General's Motion, recorded on the 16th Instant.

General Clavering, Colonel Monson, and Mr. Francis having drawn up their Sentiments on this Subject, deliver them in the following Minute, which is now read:

After an attentive Consideration of the Company's Orders relative to Mahomed Reza Cawn and Raja Gourdas, contained in the 39th and Eight following Paragraphs of the General Letter of the 3d of March 1775, we agree with the Governor General, in thinking that the Court of Directors have mistaken the Office actually held by the Raja Bullub for that which the late Administration conferred on Raja Gourdas. This Mistake, with the Consequences drawn from the Facts supposed by the Court of Directors, produces an Ambiguity in their Orders, which makes it difficult for us to determine in what precise Sense they are to be understood; or by what Resolution of ours we can with Certainty carry their Intentions into Effect. On one Side they express a *Repugnancy to the Continuance of Raja Gourdas in the high Office of Roy Royan*, and direct us to appoint Mahomed Reza Cawn to it, *if he can accept of it with Propriety under the Regulations and Restrictions established by the late President and Council*; on the other it is to be observed, that Raja Gourdas is not Roy Royan, and that the Office is by no Means of such a Rank or Consequence as could possibly restore Mahomed Reza Cawn to *any improper Degree of Power*.

The Roy Royan is no more than principal Mutesuddie, or Clerk of the Khalsa; whose Duty it is to attend at the Meetings of the Board of Revenue, to make Reports, to answer to all Enquiries, and to receive occasional Instructions. It appears to us, that such an Office conveys no Degree of Dignity whatever; the inconsiderable Share of Power annexed to it, is immediately under the Controul of the Revenue Board. It must also be remarked, that the Roy Royan is a Hindoo Office, consequently not to be exercised by a Mussulman; and that for this Reason Mahomed Reza Cawn could not accept of it with Propriety.

With this View of the Instructions before us, and considering that they do not prescribe to us such a clear and determinate Line of Conduct as would preclude any Difference of Opinion, and leave nothing to our own Discretion; we apprehend that the present Sense and Intentions of the Court of Directors cannot be better ascertained than by recurring to the Plan which they originally adopted for the Regulation of the Country Government, when they received Advice of the Accession of the present Nabob to the Musnud. We find it stated, in their Letter of the 28th of August 1771, in Terms too clear and precise to admit of any Misrepresentation; and we do not doubt that, upon due Consideration of the Subject, it will be found much more judicious, and better adapted to the respective Circumstances of this Country, and of the Company, than that which the late President and Council, of their own Authority, thought proper to substitute in its Place. In our Minute of the 15th of September we have already observed, that the Appointment of Munny Begum, Raja Gourdas, and Raja Bullub, and the Distribution of the Salary among those Three Persons, which the Court of Directors had appropriated to a single Office, was a direct Disobedience of their Orders. It is our Opinion, taken on the most mature Deliberation, that the Board should now revert to those Orders, and endeavour to carry them into Execution, as far as our present Circumstances will permit. On the Removal of Mahomed Reza Cawn, it was evidently the Company's Intention to substitute a single Minister in his Place, to transact the political Affairs of the Sircar; they instruct their Servants "to select, for that Purpose, some Person well qualified for the Affairs of Government, and of whose Attachment to the Company's Interest they were well assured; and to recommend him to the Nabob to succeed Mahomed Reza Cawn as Minister of the Government, and Guardian of the Nabob's Minority." The mischievous Consequences of departing from this System, have been such as the late President and Council might easily have foreseen. For Want of a Person of Credit and Abilities to fill the Station of Minister, and who, supported by our Influence, and subject to our Controul, might represent and act for the Nizam during his Minority, the Country Government, which it has been the constant Policy of the Company to support, has been reduced to such a State of Weakness and Insignificance, as not even to carry the Appearance of a Government, either to its own Subjects or to Foreigners. All Differences and Discussions with the foreign Factories, in which it is not the true Interest of the Company to appear as Parties, and which ought properly

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properly to have been referred to the Nabob or his Ministers, have been taken up directly by the Representatives of the Company as Principals: The Company of course, without Necessity, and contrary to their own political System, are made responsible to the Nation for all the Consequences which may attend any Acts of Force or Hostility exercised by their Servants in checking the Encroachments of the foreign Factories on the Rights and Authority of the Country Government. In this View alone, the Expediency of supporting an ostensible Authority in the Nabob, is too obvious to be disputed: At the same Time his positive Rights are founded on a specific Treaty, and cannot, in our Opinion, be invaded by the Company's Servants, without a Violation of every Principle of Justice and good Faith.

The Consequence of reducing the just and constitutional Powers of the Nizamut to their present feeble State, have not been confined to the political Interests of the Company.

Every Member of this Board must know, and we believe that no Man feels it more sensibly than the Governor General himself, that since the Transfer of the Lands from the original Owners to the present Farmers, and since the Abolition of the local Jurisdictions exercised by the Zemindars in their respective Zemindaries, which followed that Transfer, the internal Government of the Country has fallen into a most alarming State of Confusion.

By the Constitution of Bengal, the Zemindar presided in the Criminal Court of his Districts, pronounced and executed Sentences on all Offences less than capital, and was answerable to the Nizam for the Peace and good Order of the Country, as far as his Jurisdiction extended. An Institution of this Nature might undoubtedly be liable to Abuses; but it was conformable to the Manners and Prejudices of the People, who looked up to their Chiefs alone for Justice and Protection. It made an essential Part of the Constitution of the Country, and could not be abolished without breaking that regular Chain of Subordination and Dependence, by which the Government and the People were united in One political Body. Mr. Hastings himself admits these Consequences, and declares, "That by the Removal of the Zemindary Jurisdictions, the Confidence of the Decoits was increased; and that no Method had been substituted for giving Intelligence to Government of such Events as related to the Peace of the Country." Abuses will find their Way into the Practice of the wisest Institutions; but they ought to be corrected by a steady and vigorous Administration, not by rashly forcing the accumulated Wisdom and Experience of Ages to yield to the crude Ideas of a few Foreigners (for such the English are in Bengal) on a Subject, which they can hardly be supposed to have understood, even if they had had the Welfare of the Country ever so sincerely at Heart.

The Annihilation of the judicial Powers formerly exercised by the Zemindars, was however a necessary Consequence of dispossessing them of their Lands. The Revenues could not easily be collected by the Farmers, if a Power had been reserved to the Zemindars, to which the Ryots might have Recourse against the Oppression of their new Masters.

It became necessary therefore to form a new Plan for the Administration of Criminal Justice: A Court of Fouzdarry Adawlut was accordingly established in each District, for the Trial of all Crimes and Misdemeanors; a Supreme Court of Fouzdarry Adawlut was established at Calcutta, under the especial Care of the President, with Power to confirm all Sentences from the Subordinate Courts, except Capital, which were referred to the Nizam.

It was soon found by Experience, that the Institution of these Courts had not "produced the Benefits expected from them, and that the Public Tranquillity could not be secured without the Extension of other and extraordinary Means."

What Benefit indeed could be derived from the new Courts of Justice, when even the Regularity and Precision, introduced into their Proceedings, are assigned by Mr. Hastings, "as One Cause of the Increase of Robbers."

No stronger Proof can be produced, that they were not founded on Principles reconcileable to the Genius and Temper of the People.

As a Remedy for this and many other Evils which the Establishment of the Phouzdarry Courts had either created or not removed, particularly the Want of Ministerial Officers for the Apprehension of Offenders, which the new System had not provided for, the late President, in his Minute of 19th April 1774, proposes the farther Institution of several Fouzdars, or Officers of Police, to be stationed in the Districts, with Power to apprehend Decoits and other Offenders, and bring them to Justice. Even this Expedient has failed of its proposed Effect. We have too much Reason to believe, that the Fouzdars themselves, with their numerous Followers, have, in many Instances, either screened the Decoits, or joined with them, and that upon all Occasions they have made Use of their Power to plunder and oppress the People whom they were sent to protect. The Governor General has repeatedly represented to this Board the deplorable State of the Provinces with respect to the Administration of Justice; he has desired to be relieved of the Superintendence of the Fouzdarry Court, and Controul of the Fouzdars, as of a Burthen to which he is unequal; and has requested us to take the Subject generally into our Consideration.

It seemed necessary to enter thus far into the internal State of the Country and Government, not only that the Measures which we mean to recommend to the Board might be regularly introduced, but that the Governor General and Mr. Barwell might be able to determine at one View, whether those Measures are conformable to the Spirit of our Instructions, and adapted to our actual Situation.

It is now the clear unquestionable Determination of the Court of Directors to support an ostensible and active Power in the Country Government. The Nabob himself, from Youth, Inexperience, and the

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the total Neglect of his Education, is incapable of exercising this Power. The executive Authority of the Nizam must be delegated to a Minister; who, acting in his Master's Name, may nevertheless be sensible that he owes his Appointment solely to our Recommendation, and that his Continuance in Office depends upon his Attachment and Gratitude to the Company.

We are convinced there is no Man in the Provinces in every Respect so well qualified for this important Post, as Mahomed Reza Cawn; and we think the Declarations now made in his Favour by the Court of Directors, entitle us to replace him in it.

We offer it therefore as our Opinion, that the Board should recommend him to the Nabob to be Minister of the Government, and Guardian of his Highness's Minority, with Authority to transact the political Affairs of the Sircar. He should be instructed to superintend the Nabob's Education, to chuse proper Servants and Companions for him, and to endeavour to recover him from the dishonourable State of Ignorance and Dissipation in which we fear he is still immersed. He should be particularly impowered and directed to reduce and regulate the Expences of the Nabob's Household in such a Manner as to enable him to extricate his Highness from his Debts and Incumbrances, without calling upon the Company for an Increase of his present Income.

After the Appointment of a Minister at the Durbār, it will be equally unnecessary and inexpedient for this Board, whether as Principals or Parties, to enter into any Discussions with the Foreign Factories on Questions touching the Rights and Authority of the Country Government, in which, as Representatives of the East India Company, we have strictly no Concern. Every Question of that Nature may be immediately referred to the Nabob and his Ministers, who understanding the Constitution of the Country, and the Extent of the Privileges originally enjoyed by the Foreign Factories, will probably be better able than we are to answer any Arguments produced by those Factories in support of their Pretensions. If ultimately it should be found necessary to maintain the Authority of the Country Government by Force, the Nabob will call upon us for that Assistance which we are bound by Treaty to afford him, and which may be effectually employed in *his* Name. In the mean Time we shall be relieved from the Burthen and Odium of many Discussions with the Foreign Factories, in which, though not strictly Parties, they affect to consider us as Principals. Another, and most important Branch of the Minister's Duty, should be, to examine into the actual State of the Fouzdarry Courts and Conduct of the Fouzdars, and to take a general Review of the Administration of Criminal Justice throughout the Country; he should have full Authority given him either to enforce the Operation of these Courts upon the present Establishment, or to new-model and correct them. If neither of these Measures should be found practicable, it will be his Duty to form and propose some other Plan better accommodated to the State of the Country and the Manners of the People, and which at the same Time may not be incompatible with the System on which the Lands are actually farmed. In short, as Ministers of the Nizam, the Criminal Justice of the Country, with all the Courts and Officers belonging to that Branch of Government, is properly under his Care, and he should be made responsible for the due Administration of it. The Office established under the Controul and Authority of the late President, for receiving and registering all Reports from the Fouzdars, and issuing Orders to them, should be transferred to Muxadabad, and placed under his Direction.

It is our Opinion that he should be allowed a Salary of Two Lacks Forty thousand Rupees, which, though inadequate to the Dignity of his Station, and to the Services expected from him, is, we apprehend, the utmost the Board can allow him out of Three Lacks appropriated for this Office by the Court of Directors, the Remainder being reserved for the Roy Royan.

We are now to consider in what Manner it may be proper to carry the Company's Instructions in Favour of Raja Gourdas into Execution. The Court of Directors say, that "in Consideration of the favourable Character they have received of him, they have no Objection to his being appointed to any Office of less Importance (than that which they supposed him to be in Possession of) if we should be of Opinion that his Behaviour has entitled him to such a Mark of their Indulgence."

We cannot refuse Raja Gourdas our Testimony in his Favour; and we know of no Employment, in any Degree proportioned to his Rank and Station, of less Importance than that of Roy Royan: The Office is merely ministerial, and the Salary annexed to it less by Two Fifths than that he at present enjoys. We must in this Place declare ourselves totally unacquainted with the Merit or Services of Raja Bullub: His original Appointment was unauthorized; and, supposing such an Office to have been ever so necessary, we think it should not have been entrusted to a very young Man, who certainly had no Experience, and could not be supposed to possess any Knowledge of the Business of the Revenues.

We therefore feel no Scruple or Reluctance whatever in advising the Dismission of Raja Bullub, and the Appointment of Raja Gourdas to succeed him.

(Signed) J. Clavering,
Geo. Monson,
P. Francis.

Mr. Barwell — The Orders of the Company are, in my Opinion, clear and explicit; they direct that the Station to which Raja Gourdas was advanced, during the Investigation ordered into Mahomed Reza Cawn's Conduct, shall be vacated; they direct that Mahomed Reza Cawn shall be placed in his room; they declare the Conduct of Nundcomar appears to them inconsistent and unworthy, and that they feel a Repugnance to the Continuance of his Son in the high Office of

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Roy Royan of the Province (this can mean nothing more than the high Office he at present holds) or any other that may speak their Approbation of the Conduct of Nundcomar, in the Honours conferred, or to be conferred, by this Government on his Son. They direct, conceiving the Office of Roy Royan to be blended with the Trust that Gourdas has hitherto discharged, that he shall no longer act in that Office; but, in Consideration of the favourable Character they have received of him, they have no Objection to his being employed in Offices of less Importance, if this Government shall be of Opinion he is entitled to such a Mark of the Company's Indulgence. The Word "Objection" strongly marks the Sentiments of the Court of Directors respecting the Son of Nundcomar, that they were unwilling, by any public Honours to be granted to him, to convey to the Minds of the Natives their Approbation of any Services rendered by the Father; but if any particular Merits of the Son might, independently, entitle him to Favour, their Governor and Council are *merely* permitted to consider them. The Words of the Company cannot be too often repeated; they say "they have no Objections." If they meant in any Respect to recommend the Son of a Person whom they have declared to be notoriously obnoxious in their Eye, it would certainly have been done in express Words; in the Manner in which his Name is now noticed, the Company have pointedly declared, that under no Consideration whatever do they allow the Government to employ Gourdas, the Son of Nundcomar, unless some particular Services rendered to the Company, and the Merits of the Man, give him Claim to Favour; and then they only say, "supposing some *specific Services and Merits, we have no Objections to his being employed.*" The Company have repeatedly confirmed Rajah Raje Bullub, both on account of his supposed personal Knowledge in the Revenue, having been from his Infancy employed in the Khalsa Department under his Father Rajah Dolubram, the Dewan of these Provinces, and likewise on the Score of his Father's Services rendered to the Company, to fill the Station of Roy Royan. It will be both partial and contradictory to the Intentions of the Company, to place Gourdas in Competition with this Man, who never had any Employment in the State, from which it was possible for him to acquire the most trifling Knowledge of the Interests of these Provinces in the Adjustment of their Rents and Revenues. It is plain that the Company did not design to leave it in the Option of this Board, to pursue any particular Aim in favour of Gourdas to the Detriment of an Officer fixed in his Station by themselves. The most that can be understood, from the Company's obviously mistaking the Roy Royan's Office to be blended with Raja Gourdas's, is, to interpret this Mistake in favour of Mahomed Reza Cawn, as he is expressly pointed out by their Orders to fill the Station in which Raja Gourdas has been no more than a Pageant; I say a Pageant, because it is notoriously known that he has neither Acuteness of Parts, Knowledge, or Talents; that he has been the mere Instrument in the Hands of his Father, and must ever remain an Instrument in the Hands of some one; and though he may appear ostensibly to act, I make no Doubt in the Course of Time it will appear, that European or Native Influence has been the Spring of every Transaction of Importance he should seem to engage in. In these Sentiments I dissent to the Opinion delivered by the Majority on the Sense of the Company's Letter from Paragraph 39 to Paragraph 47, fully persuaded the Construction is equally forced and unnatural; that the same Biass which our Public Proceedings in various Sheets shew to the Father, has interpreted the Orders of the Company in favour of the Son.

The Company have ordered Mahomed Reza Cawn, in my Opinion, to be placed in the Station now occupied by Raja Gourdas: They have ordered Raja Gourdas to be removed to make room for him: They have not ordered (as the Majority premise) the employing Raja Gourdas in any other Station; they have only said, they *have no Objection, provided he has Merit and specific Services to plead.* I beg Leave to explain the Grounds upon which I have now said the Company enjoin, that unless Raja Gourdas has particular Merit and specific Services to plead to their Indulgence, that he shall not be employed; their own Words are, "If you shall be of Opinion that his Behaviour has entitled him to such a Mark of our Indulgence, we have no Objection to his being appointed to any Office of less Importance."

Mr. Francis — I think Mr. Barwell allows himself a very considerable Latitude, when he interprets the Word *Behaviour*, into Raja Gourdas's having Merit and *specific Services to plead.*

The Governor General. — I dissent from every Resolution of the Majority, as contradictory to the Orders of the Company, and inconsistent even from those which they are professed to carry into Execution; and I hereby enter my Protest against them, and all the Consequences which may ensue from them. I have too much to say upon the Subject to be dictated in a verbal Minute at this Board; I will deliver in my Reasons in Writing at another Time. I meant to have contented myself with this short Dissent to the Resolutions already formed, conceiving my Opinion to be unnecessary, and precluded from any possible Effect by those Resolutions; understanding, of course, the Recommendations of the Majority delivered in so formal and decided a Manner as the Resolutions of the Board: But as I perceive that it is expected of me to give an Opinion in the Terms of my own Question, I will comply with the Form required of me in a few Words. It is my Opinion, then, that the Company's Orders require that Raja Gourdas should be removed from the Appointment which was granted to him under the Sanction of the last Administration, and, a fortiori, from every Addition since made to it; and that Mahomed Reza Cawn be appointed Dewan to the Nabob's Household in his Stead.

Resolved, That the Board recommend Mahomed Reza Cawn to the Nabob, to be Minister of the Government and Guardian of his Minority, with the Powers and Authorities as described in the Minute delivered in by General Clavering, Colonel Monson, and Mr. Francis.

Ordered, That the Secretary acquaint Mahomed Reza Cawn, that the Honourable the Court of Directors

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Directors have been pleased to approve of the Proceedings of the late Board, on the Investigation of his Conduct, by which he was acquitted of the Accusations laid to his Charge, excepting the Amount due to the Company on Account of the Dacca Revenues; which Sum, however, they have suspended their Claim to, in Consideration of the Inconveniencies which he may have suffered during the Time of his Examination; and wishing that he should remain under no Obligation to them than that of Gratitude, they consent to his total Enlargement: And that he be further acquainted, that the honourable the Governor General and Council have therefore been pleased to recommend him to the Nabob Mobarek O' Dowla, to be Naib Soubah, or Minister, of the Sircar, and Guardian of his Minority, with Authority to transact the Political Affairs of the Sircar, to superintend the Fouzdarry Courts, and the Administration of Criminal Justice throughout the Country, and to enforce the Operation of the same on the present Establishment, or to new model and correct it: And as the Board wish that he shall have full Controul of the Officers of the Criminal Courts in the Character of Naib Soubah, they propose to remove the Nizamut Adawlut, now at Calcutta, to be held in future at Moorshedabad.

Resolved also, That Raja Gourdas be appointed to the Office of Roy Royan in the room of Raja Raje Bullub.

Ordered, That Notice be sent to the Board of Revenue of the foregoing Appointments, that Raja Raje Bullub may be acquainted of his Dismission from that Board: And

Resolved, That the following Letter be written to the Resident at the Durbar.

Sir,

The Honourable the Court of Directors having considered the Proceedings of the Investigation into the Conduct of the Nabob Mahomed Reza Cawn, they have approved of his Acquittal from the Charges which had been alleged against him, excepting the Debt due to the Company on account of the Dacca Revenues; the Claim for which they have, however, been pleased to suspend, in Consideration of the Inconveniencies he may have suffered during his Examination.

As they also think proper that he should again be employed, we beg Leave to recommend him to the Nabob to be appointed Naib Soubah, or Minister of his Government, and Guardian of his Minority, with Authority to transact the Political Affairs of the Sircar; to superintend the Fouzdarry Courts and the Administration of Criminal Justice throughout the Country, and to enforce the Operation of the same upon the present Establishment, or to new model and correct it; also, to attend to the Education and Instruction of his Excellency, and to regulate the Expences of his Household. And as the Regulation of Criminal Justice will be entirely under his Controul, we mean to remove the Office of Nizamut Adawlut, established at the Presidency under the late President, to Moorshedabad.

As the Appointment of Mahomed Reza Cawn will supersede the Office now held by Raja Gourdas, you will acquaint the Nabob that we have appointed him to the Post of Roy Royan.

We are, &c.

(D)

Extract of Fort William Secret Consultations, 30th October 1775.

Read a Letter from Mahomed Reza Cawn, as follows:

Copy of a Letter from the Nabob Mahomed Reza Cawn.

On the 23d Shabana (19th October) I received a Letter from Mr. Auriol, the Secretary to the Council, to the following Purport (here he quotes the Secretary's Letter, agreeable to the Board's Resolution of the 18th Instant.)

I beg Leave to represent to you, Gentlemen, that from the Time when I was first honoured with an Employment in the Company's Affairs, I never took any Step but for the Interest of the Company; to promote which I exerted myself with so much Affiduity, in Conjunction with the Company's Administration, that in various Instances I gained great Applause. It therefore afforded me the highest Pleasure to hear that the Company approved of the Decree declaring my Innocence, and that they were satisfied of the Injustice of the Accusations falsely laid to my Charge. And as my being again received into Employment will make known the Approbation, and will tend to raise my Character and Reputation, I shall therefore accept, with the greatest Pleasure, an Appointment, which the Governor General and Council having been so kind as to fix on for me, have recommended to the Nabob Mobareck ul Dowla to bestow on me: By the Blessing of God, when it is approved, I shall exert my utmost Abilities in the same Manner as I have ever done in the Execution of the Trust. But I beg of you, Gentlemen, to reflect, that considering of my former Salary, Station, and the important Office to be now entrusted to me, the Salary of 2,40,000 Rupees, which you fixed on, is not sufficient to defray the Expences which by the Usage of the Country

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Country I must be at. I had also flattered myself, after the extreme Disgrace which I, a faithful Adherent of the Company, had suffered from the false Accusations brought against me, that when the Company were informed of my Innocence and good Character, they would have given me greater Marks of their Favour than they had even formerly done. As you, Gentlemen, have shewn me so much Regard, and engaged so heartily in my Favour, whatever therefore you determine, considering it as for my Interest and Advantage, I shall agree thereto; but I am hopeful, that when you are thoroughly acquainted with the Distresses I have suffered, you will honour me with the same Powers in the Administration of the Affairs of the Sircar as I formerly enjoyed; and thereby enable me to manifest my Fidelity and Attachment to the Company.

Read a Letter from the Nabob Mobarek ul Dowla, approving of the Appointment of Mahomed Reza Cawn, recorded in the Persian Correspondence, and received the 29th Instant.

Agreed that the following Letter be written to Mr. Martin, Resident at the Durbar:

Sir,

The Nabob Mobarek ul Dowla having in a Letter to the Governor General signified his Approbation of the Appointment of Mahomed Reza Cawn to be Naib Soubah, which we had recommended to him, we desire that you will obtain from the Nabob a proper Sunnud for the Investiture of his Office, and transmit it to us, that it may be duly presented to him.

We are, &c. &c.

Fort William,
30th October 1775.

Warren Hastings,
J. Clavering,
Rich^d Barwell.

(E)

Extract of Fort William Secret Consultations, 6th November 1775.

Read the following Representations from Mahomed Reza Cawn:

From the Nabob Mahomed Reza Cawn, addressed to the Governor General and Council:
Received the 6th November 1775.

Enclosed I transmit you a List of Articles relating to the Niabut of the Nizamut Foujedarry, &c. and am hopeful that for the Regulation of the Affairs of the Niabut, and for the Administration of the Affairs of the Foujedarry, the Signature of the Council may be affixed to the Purport of the said Articles, and their Orders sent to the creditable Zemindars and principal Farmers.

Articles relating to the Niabut of the Nizamut Foujedarry, &c.

1st. The Governor General and Council have been pleased to appoint me, Sied Mahomed Reza Cawn, Mozuffer Jung, to the Office of Naib Soubah, which I formerly held, with the Superintendence of the Foujedarry and Adawlut, the Cauzyship, the Administration of Criminal Justice, and the Regulation of Weights and Measures, with Authority to adjust and correct the Method on which the Business has been conducted; it is necessary that my Seal and Signature be likewise authentic in all Matters relative to the above Offices.

2dly. Let the Council issue an Order that the Nabob's stipulated Salary be paid monthly; that it may be received from the Khalsa Treasury, and deposited in that of the Nizamut.

3dly. For the Regulation of the Nabob Mobareck ul Dowla's Affairs, it will be necessary to augment the Salaries of some, and to decrease those of others; and also to make some Appointments and Dismissions. It will likewise be necessary to make some Changes in the Officers of the Foujedarry, &c. without this it will be impossible to effect a Regulation.

4thly. The Nizamut Sircar is very greatly in Arrears to the Servants of the Government on Account of their Salaries, and those who have any Claims will make a Demand of them. From whence are these Arrears to be paid?

5thly. It is the Design of the Board in appointing me to the Foujedarry to bring Thieves to Punishment, and to root out all Robbers and Murderers: This requires the greatest Vigilance and Attention. Whenever any Circumstance occurs, and I address the Board thereon, I am hopeful that they will immediately apply a Remedy.

In the same Manner the Foujedars in the Mofussil will have continual Occasion to write to me, and it will in many Cases be necessary for me to enquire the Particulars from the Vackeels of the Zemindars and Farmers, and it will likewise be necessary for the Zemindars and Farmers to represent a Variety of Causes to the Sudder Cutcherry at Moorshedabad; this makes it requisite that a

Vackeel

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Vackeel should remain at the Sudder Cutcherry on the Part of every creditable Zemindar and Farmer. Let an Order therefore be issued to them by the Board for that Purpose, and that every Zemindar and Farmer deliver to the Foujedar a List of the Number of Zemindarry Tannahs in his District, together with the Names of the Persons stationed in them; and strictly enjoining them that they pay implicit Obedience to the Orders of the Foujedars in all Matters relating to the Foujedarry.

6thly. Let an Order of the Board be issued to the Chiefs of the several Districts, that whenever their Assistance is required by the Foujedars stationed in the Tannahs, for the Apprehension of Robbers and Murderers, or for any other Business of the Foujedarry, they are to pay Attention to their Representations, and to afford them their Assistance for the Accomplishment of such Business; and that whenever I write to them on any Affair relating to the Foujedarry, &c. or to the Cauzies, Musties, and other Officers of the Adawlut, they are to comply therewith.

7thly. How many Tannahs shall be established throughout the Districts of Bengal, Bahar, and Orissa; how many Men with the Foujedars and Officers shall be stationed in each; what Salaries shall they receive; and at what particular Places shall the Tannahs be fixed?

8thly. There are at present stationed at different Places in the Districts of Bengal, Bahar, and Orissa, Officers of the Adawlut, and Cauzies, and Musties. Let an Order of the Board be issued to whomsoever has the Seristah in his Possession, to give me an Account of the Number of them and the Salaries they receive.

9thly. It is the Custom with the People here, to pay Respect and Obedience to the Person from whose Hands they receive their Wages. This being the Case, if the Officers of the Adawlut and Foujedarry receive their Salaries from me, the Affairs of the Sircar will be regulated on the best Footing.

Ordered, That the Secretary wait on Mahomed Reza Cawn, to desire his Attendance at the Board on Thursday Morning next; and at the same Time, that he learn from him what Kind of a Khelaut he received in his former Appointment, and that he provide a similar one for this Occasion.

(F)

Extract of Fort William Secret Consultations, 9th of November 1775.

Mahomed Reza Cawn attending agreeably to the Board's Requisition, signified to him by the Secretary in consequence of the Order of the 6th Instant, is invested with a Khelaut and the proper Jewels: His Two Sons attending also, are clothed in proper Dresses and Jewels, which had been prepared for them.

The Nabob's Attendants being ordered to withdraw, the Honourable the Governor General acquaints him of the Orders and Opinions of the Court of Directors upon the late Enquiry into his Conduct; also, the particular Instructions upon the different Offices assigned him, as follows:

To Mahomed Reza Cawn.

You have already been informed, in a Letter from the Secretary, of the Approbation expressed by the Honourable the Court of Directors, of the Proceedings of the late President and Council in their Examination of your Conduct, and of the Terms upon which that Honourable Court have adjudged you acquitted of the several Charges upon which you were tried.

This Board is now happy to be the Instrument of the more favourable Orders and Intentions of the Company, and of publicly manifesting their Regard and Confidence in you, in the Appointment which has been lately bestowed upon you. At the same Time, they deem it proper to recommend the following Points to your Attention, in the different Occupations which you now hold.

1st. In the Office assigned you, of Guardian to the Nabob and Superintendant of his Household, the Board expect that you pay the strictest Attention to Frugality in the Nabob's Expences, and that you conform to the Orders of the Company, which direct, that an Annual Account of them be transmitted through the Resident of the Durbar, for the Inspection of this Board; and a translated Copy of their Orders on this Head accompanies this. This Duty the Company, as the proper Guardians of the Nabob, have a Right to exact from you. The Payments of the Nizamut are much in Arrears; and the strictest Attention to Economy is the only Means by which you can raise a Fund for the Discharge of his Debts.

2dly. The Board recommend, that you pay great Attention to the Education and Morals of the young Nabob: That you set apart certain Portions of the Day for the different Studies which may be necessary to cultivate his Understanding, and for his Appearance in his Durbar: That you cause as much of the Official Duties and Public Transactions as possible, to pass under his Inspection, to habituate him to the Practice, and instruct him in the Knowledge of Business: That you carefully guard him from dissolute and bad Company, and place only such Persons about him as, by an approved Attachment to his Family, by a proper Behaviour and discreet Conduct, may both merit his Confidence and improve him by their Example.

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3dly.

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3dly. We shall apply to you, as Naib of the Nizamut, for the Interposition of the Name and Authority of the Nizam in all Disputes which may happen between this Government and the other European Settlements, whether in Matters of Revenue, Commerce, or such as regard the Peace and good Order of the Country : And in all such Occasions we shall expect from you an instant and cautious Attention both to the Rights of the Company and of the Government you serve, as well as a speedy, peremptory, and steady Conduct in the Support of them.

The Administration of Criminal Justice throughout the Country being now entirely under your Superintendence and Controul, the Board desire you will take Care that the several Courts be composed of Men who are qualified by their Learning and Integrity for those Trusts ; that they be not appointed by partial Recommendations ; and that their Places be not occupied by Deputies, but that they personally attend to the Duties of their respective Offices, and conform literally to the Rules enjoined them ; that they transmit their Proceedings Monthly to the Sudder, where you will cause them to be expeditious in revising them, and in passing the Futwas ; and that you issue the Warrants of Execution without Delay.

The Foujedarry Chucklas have yet only been in Part established ; those which have been fixed are at the Chucklas of Houghley, Catwa, Mirzanagur, and Boofna. Copies of the Plans of these Establishments, and of such other Plans as have been formed or recommended, will be delivered to you ; and you will confirm such of them as you shall approve, and propose any Alterations and Amendments which in your Judgment may tend to improve the System, and make it more likely to preserve the Peace of the Country ; but in all these Establishments, and in whatever new ones you may find it necessary to recommend, we desire you will observe the greatest Economy.

(Signed) Warren Hastings,
&c. Council.

Agreed, That Mahomed Reza Cawn be furnished with the above in the Persian Language.

The following Letter from the Resident at the Durbar, with its Contents, is now communicated to Mahomed Reza Cawn :

Gentlemen,

I am favoured with your Letter of the 30th ultimo ; and have now the Pleasure of transmitting you the Nabob's Sunnud, confirming the Appointment of Mahomed Reza Cawn to the Superintendancy of the Foujedarry Court of Adawlut. He has however declined giving his Sunnud for the Office of Naib Soubah, as a Thing not customary, and which he informs me was never done by any of his Predecessors ; he is nevertheless perfectly satisfied with the Appointment ; and if it should be your Pleasure to require such a Grant from him as materially necessary for the Investiture of that Office, I make no Doubt of his ready Compliance.

I am, with the greatest Respect, &c.

Moorshedabad,
4th November 1775.

(Signed)
W. B. Martin,
Resident.

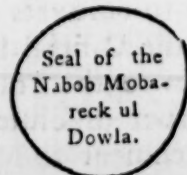
The Nabob having desired that a new Sunnud may be obtained for him, containing a full Confirmation of the Offices to which he has been appointed by the Board ; the one sent by Mr. Martin, and executed by the Nabob Mobareck ul Dowla, respecting only the Administration of the Fouzedarry Adawlut ;

Agreed, That they be both translated, and entered in this Place.

Translation of a Sunnud sent by Mobareck ul Dowla to Mahomed Reza Cawn.

To all Mutfuddies for Affairs, Zemindars, Chowdries, Canongoes, and all Officers in the Soubahs of Bengal (the Paradise of Regions) and Bahar, be it known :

As we have conferred the Superintendence of the Fouzedarry Adawlut of the said Provinces, on the Dismission of Sudder ul Hoc Cawn, upon our loving Friend the Nabob Mobarez ul Mulek, Maieen ul Dowlah Khan Khanân, and Mahomed Rezan Khan Behaudre, Mozuffer Jung, that in the Execution of the said Office, and in the settling of all Claims and Disputes, or of any Matters which may be brought before the Adawluts throughout the Country under our Jurisdictions, he may act agreeably to the Laws declared by the Oolmas (Persons versed in the Laws) Fazils, and the Officers of the Laws ; it is therefore required of them, that, considering the said Nabob as our especial Naib, they do not in any Manner act contrary thereto. On this Occasion know the strictest Injunctions. Dated the 9th of Ramzan, in the 17th Year of the Reign.



Proposed

A P P E N D I X, N 6. (F) (G)

Proposed Sunnud by Mahomed Reza Cawn.

To all Mutsaddies for Affairs both present and future, Fouldars, Aumils, Muttachudars, Farmers, Zemindars, Chowdries, Canongoes, and Inhabitants of every Rank, of the Soubahs of Bengal (the Paradise of Regions) and of Bahar and Orissa, be it known,

That we have appointed to the Office of Naib Soubah of the said Provinces, with the Fouzdarry of the Tannahs and Adawlut, the Cauzyship, the Yatsaub, the Ista, the Superintendence of the Affairs of our Sircar, and of the Expences of our Household, the issuing Orders in all Affairs, the Superintendence of the Adawlut, and Administration of Criminal Justice according to the Laws which he formerly held; that he should execute the same without the least Deviation from the established Rights and Usages, and apply himself diligently to the Regulations of the Affairs of the Nizamut, Adawlut, and Fouzdarry, the Abolishment of Disputes and Contefts, the rooting out of Murderers and Robbers of all Denominations, and the Punishment of litigious and quarrellsome Persons, Disturbers of the Peace, and bad Members of Society; and for the Protection and Support of the Malzugars, and Relief of the Oppressed, as well as in the Dispensation of the different Degrees of Corrections, capital Punishment, and Retaliation, agreeable to the Laws; the Adjustment of the Affairs of our Household and Regulation of our Expences, and in all our political and domestic Affairs: It is therefore required of them, that, regarding the said Nabob as our Naib, invested with full Authority, they consider his Orders as binding, and his Seal and Signature as authentic, and on no Account deviate in any Measure from these our Orders. On this Occasion, knowing the strictest Injunctions, act agreeable thereto. Dated

Resolved, That the foregoing Sunnuds lie for Consideration.

(G)

Extract of Bengal Secret Consultations, 6th December 1775.

Received the following Letter from the Resident at the Durbar:

Gentlemen,

I have now the Pleasure to acquaint you, that Mahomed Reza Cawn, agreeable to his Appointment, has this Day taken Charge of the Nabob's Household, and the Management of his Affairs.

I remain, &c.

Moorshedabad,
2d December 1775.

(Signed)

W. B. Martin,
Resident.

The Secretary lays before the Board the following Opinions, which have been given upon the Articles proposed by Mahomed Reza Cawn, and recorded in Consultation 6th November.

1st. The Governor General and Council have not appointed Mahomed Reza Cawn to the Office of Naib Soubah, but have recommended him to the Nabob for that Appointment: He has added Two Offices to those assigned him by the Board, namely, the Cauzyship and the Regulation of Weights and Measures. These Offices he cannot hold without the express Appointment of the Board, and the Nature of them ought to be very minutely explained before they can be conferred upon him.

The Nabob's Seal and Signature should be used in all permanent Acts of the Nizamut, but the current Transactions may be properly authenticated by the Naib alone. This, upon the Principle established for his Appointment, must be the Act of the Nabob, not of the Board.

2d. Is very proper.

3d. I disapprove of any Power that may be given to Mahomed Reza Cawn to augment Salaries, or to make new Appointments, without the Concurrence of the Board previously obtained; for this principal Reason, among others, that the Accounts of the Nizamut are represented to be greatly in Arrears, which can only be cleared off by Savings in the Expences.

4th. From Savings in the Expences.

5th. All proper, but the Article of Vackeels; they are not necessary, and will be a heavy Expence to the Farmers, and of course to Government. Most of the Informations which he requires, so far as the Fouzdarry Establishment has hitherto been carried, may be furnished from that Office.

6th. All proper, but the Requisition of Assistance to the Cauzies and Musties; which seems to allude to some Powers intended to be vested in those Offices, which I hope the Board will not allow them.

7th. The Plan of the Fouzdarry Establishments, which has been already adopted, and the other Plans recommended by the Provincial Councils, may be put into his Hands; and it will rest with him to recommend such an Establishment, whether any of these, or one more expedient of his own Formation, to the Board.

8th. Proper.

9th. Let the principal Officers of the Adawlut and Fouzdarry receive their Wages from him, and the inferior Officers from the Principal.

(Signed)

W. H.

1st.

A P P E N D I X, N° 6. (G)

1st. We have only recommended Mahomed Reza Cawn, not appointed him. As Representative of the Nazim, I conceive the Cauzyship will devolve to him of course, and I think it very proper that the Regulation of Weights and Measures should be committed to his Care

In all Matters relative to the Business of his Offices, his Seal and Signature should be authentic.

2d. Agreed.

3d. Provided that upon the Whole, he reserves One-fourth at least, for the Liquidation of Debts: I would leave the Distribution of the Remainder to his Discretion, supposing always that he renders an Account of such Distribution to the Board.

4th. From Savings.

5th. Agreed, except that I suspend my Consent to the Article of the Vackeels, until I know whether it be absolutely necessary.

6th. Agreed.

7th. He should take the present Establishment into Consideration, and propose Alterations if he thinks them necessary.

8th. Agreed.

9th. Agreed, as the Governor General proposes.

(Signed) P. F.
J. C.

All agreed to with the Reservations made by Mr. Francis.

(Signed) G. M.

Agreeably to these Opinions the Secretary has prepared an Answer to Mahomed Reza Cawn, which he begs Leave to lay before the Board for their Approval, as follows.

The Honourable the Governor General and Council have received and considered your Address to them of the 6th Instant, containing Nine different Articles, which you proposed as requisite to be established, contingent to the Offices of Naib of the Nizamut and Superintendant of the Foujedarry Courts; and the Board have been pleased to come to the following Determinations upon them. To the

1st. It is necessary to observe, that the Board have not appointed you to your present Offices; they only recommended you to the Nabob for that Purpose. Neither the Cauzyship nor the Yetesaul were expressly named in the Appointment recommended by the Board. The former will of course be under your Controul; and if you shall judge it necessary to place this Office on its original, or any better Footing, or to restore the Office of Yatesaul, which was abolished Three Years ago in consequence of the Regulations which were made at that Time, we expect that you previously advise us of your Sentiments, and lay before us the Plan which you shall have formed for the better Regulation of these Offices, that they may receive our Concurrence to their being carried into Execution.

2d. Agreed to.—An Order will be issued to Mr. Martin to pay the Nabob's Stipend by regular monthly Gifts.

3d. The Stipend of the Nabob will be entrusted to your Management, provided, upon the Whole, you reserve One-fourth of the Amount for the Liquidation of his Debts; the Distribution of the Remainder will be left to your Prudence and Discretion. It is expected, however, that you deliver Annual Accounts of the same to the Board, in the Manner required by their Instructions.

4th. The Arrears of the Nizamut Sircar can only be discharged by Savings in the Nabob's Expences.

5th. The Board will always pay a proper Attention to any Representation you may find it requisite to make to them on the Nature and Duties of your Offices. The Zemindars and Farmers will be ordered to deliver to the several Foujedars an Account of the Number of Zemindarry Tannahs in their Districts, with the Names of Persons by whom they are held, and will be strictly enjoined to obey the Foujedar in all Matters relating to his Jurisdiction; but the Board cannot give their Consent to the expensive System of Vackeels being stationed, on the Part of the Zemindars and Farmers, at the Sudder, unless that Measure shall appear to them absolutely necessary.

6th. Orders have been sent to all the Provincial Councils, to afford you, or the Officers of the Foujedarry Courts, all proper Assistance in the Execution of their Functions.

7th. This has been answered by the Instructions of the Board, with which you are furnished, with the Plans of the present Establishments; and desired to propose any Alterations that you may judge necessary.

8th. Orders will be issued accordingly to the proper Officers.

9th. The principal Officers of the Adawluts and Foujedarry may receive their Salaries from you; but the inferior Officers should receive them immediately from their Principals.

Ordered, That the foregoing Letter be translated in the Persian Language, and sent to Mahomed Reza Cawn.

Read the following Letter and Account from Mahomed Reza Cawn, which had been circulated, with an Extract of the Secret Department Consultation of the 3d June 1774, to the Members of the Board, for their Opinions.

From

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From the Nabob Mahomed Reza Cawn, addressed to the Governor General and Council: Received the 13th November 1775.

I take the Liberty to represent to the Governor General and Council, that I formerly applied to the Board for an Order for the Payment of a Sum of Money, due to me from the Company on Account of the Arrears of my Salary before I was called down to Calcutta. The Board replied, that till an Answer was received to the Decree, they could not comply with my Request. A favourable Answer having been, by the Blessing of God, received from the Company, expressive of Regard to me, I am hopeful that you will be pleased to give an Order for the Payment of the said Arrears. As I have at present the most pressing Occasion for Money, if you are so kind to grant me the Payment of this, I shall esteem myself highly obliged.

An Account of the Arrears of Salary due to me from the Company to the 18th of Byfaak, in the Bengal Year 1179, or 28th April 1772, when I was removed from their Employment; which I am hopeful may be now discharged, that I may employ it for my necessary Expences. As I am to leave Calcutta on Friday, I again repeat my Application on this Subject.

To the Month of Cheyte, in the Year 1178,	—	—	—	2,62,855	11	9	2
To be deducted on Account of Nelhaut Baug	—	—	—	30,000	—	—	—
				2,32,855	11	9	2
To 18 Days Salary at 2,500 Rupees per Day, from the 1st of Byfaak 1179 }	—	—	—	45,000	—	—	—
to the 18th of the same Month	—	—	—				
Total				2,77,855	11	9	2
Claimed by the Nabob as above	—	—	—	2,32,855	11	9	2
Balance due to him by the Revenue Books	—	—	—	2,21,647	5	9	—
Difference				11,208	6	—	—

Read also, the following Opinions of the Members of the Board, received back with the foregoing Letter.

I cannot consent to the Payment of so large a Sum without some Authority from the Company, especially as they have been silent upon it, on an Occasion in which they have decided at large on the various Points of his Conduct which had been referred to them, and have declared him their Debtor in a much greater Amount than the Balance of his former Stipend.

(Signed) W. H.

If the Balance which Mahomed Reza Cawn claims, be a Debt which the Accountant of the Treasury acknowledges to be justly due to him, I think it ought to be paid to him. The Company has acquitted him of the Charge of which he was accused, and directed, that the specific Sum of Eighteen Lack, claimed by them, shall stand suspended. If the Company had intended, that the above Sum should have been liquidated from the Money that was due to Mahomed Reza Cawn, they would not have failed to have ordered it to have been detained for that Purpose. The Company were informed that Arrears of Pay were due to him.

(Signed) J. C.

I agree with General Clavering { P. F.
R. B.

As the late Administration did not think proper to pay Mahomed Reza Cawn the Arrears of his Stipend, due before his Order for Confinement, I cannot consent to its being paid until we hear from the Directors on the Subject. The Demand is just, and I have not the smallest Doubt but the Company will order the Payment of it. It should be represented to them in our present Letter.

(Signed) G. M.

A Majority of the Board being of Opinion that the Amount of Arrears due to Mahomed Reza Khan, should be paid to him;

Ordered, That the Accountant to the Revenue Department be required to examine the Account delivered in as above; and that the Balance which he may acknowledge to be justly due to Mahomed Reza Khan, be discharged at the Treasury.

(H)

Extract of Fort William Secret Consultations, 7th December 1775.

Reply to the Minute of General Clavering, Colonel Monson, and Mr. Francis, entered in Consultation of the 18th October 1775.

I have already entered my Protest against the Resolution of the Majority, for the Appointments of Mahomed Reza Khan and Rajah Gourdass, and the Dismission of Maha Rajah Bullub, in the Consultation of the 18th of October.

SEL. COM. REP. V.

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On a Revival of the Minute delivered on that Day by Mr. Barwell, I find the Subject of those Appointments so fully discussed as to leave little for me to add in Elucidation of it: Indeed, to attempt a deliberate and minute Refutation of the Arguments which have been made use of by the Majority for the Justification of their Conduct on this Occasion, would be to allow them more Weight than in my Opinion they can justly claim; since a plain Recital of the Company's Orders, and of the Measures professedly taken in Obedience to them, will be sufficient to shew their total Incongruity. The following is a clear State of both.

The Words of the General Letter are as follows: "Par. 46. The Conduct of Nundcomar in the Part he has taken against Mahomed Reza Cawn, appears to us so very inconsistent and unworthy, that we feel a Repugnance to the Continuance of his Son in the high Office of Roy Royan of the Province; and as the Acquittal of Mahomed Reza Cawn warrants us again to employ him, we direct, that if he can with Propriety accept of that Office, under the Regulations and Restrictions established by our President and Council, and with the Salary granted to Rajah Gourdas for executing the same, he be forthwith appointed thereto, and receive a proper Khellaut and such other Marks of Distinction as are usually conferred on Natives on like Occasions. We mean not by this Appointment to restore Mahomed Reza Cawn to any improper Degree of Power, but merely to testify our Satisfaction on finding his former Conduct has been so much better than we expected."

"Par. 47. And in regard to Rajah Gourdas, though we cannot consent to his remaining Roy Royan of the Province, yet, in Consideration of the favourable Character we have received of him, we have no Objection of his being appointed to any Office of less Importance, if you shall be of Opinion that his Behaviour has entitled him to such a Mark of our Indulgence."

The plain and evident Meaning of these Orders is, that they disapprove of the Continuance of Rajah Gourdas in the Office which had been assigned him, as an Incitement and Gratification of his Father's Services, whose Conduct they condemn; that they therefore direct him to be dispossessed of it, and Mahomed Reza Cawn to be appointed in his stead. They add, in Explanation of their Intentions respecting both, that the Dismission of Gourdas for his Father's Demerits, was not to disqualify him for any Office of less Importance to which he might be entitled by his own Behaviour, nor Mahomed Reza Cawn restored to any improper Degree of Power, but employed in such a Manner only, as might serve to publish his Restoration to their Favour.

Unfortunately, in specifying the Office held by Rajah Gourdas, they have mistaken it for that of Roy Royan, which he never possessed, but which had been given to Mahraja Rajebullub; and this they direct to be transferred from Gourdas to Mahomed Reza Cawn.

It would have been consistent with the Respect which is due from the Servants of the Company to their Superiors, to have drawn a Veil over any Errors which, in the Variety and Intricacy of their Affairs, are sometimes unavoidable; and to have adopted the Spirit of their Commands where the Letter differed from the Facts upon which they were formed. Instead of this Rule, the Majority have given an Eclat to a Mistake, which was in itself of no Consequence, by making it the Foundation of Measures diametrically opposite, both in Spirit and Letter, to those which had been enjoined. They have conferred on Mahomed Reza Cawn, the Dignity of Naib Soubah, with all the Appendages of that high Office which had been abrogated by the late President and Council, with the subsequent Approbation of the Court of Directors; by which, all the Powers of the Magistracy, and of the Courts of Criminal Justice, throughout the Provinces, center in the Person of Mahomed Reza Cawn alone, without a Check or Controul. This, certainly, was not such an Appointment as the Honourable Court of Directors alluded to, when they said they meant "not by it to restore Mahomed Reza Cawn to any improper Degree of Power, but merely to testify their Satisfaction on finding his former Conduct had been so much better than they expected."

As a Preparative to this Measure, Rajah Gourdas was divested of the Offices which he unworthily filled in the Nizamut; and because the Court of Directors had been pleased to declare, that "they had no Objection to his being appointed to any Office of less Importance than that of Roy Royan," he was appointed to that of Roy Royan, from which they had expressly enjoined his Removal.

Mahraja Rajebullub, who lay under no Disqualification, who had held the Office of Roy Royan by an Appointment long since confirmed by the general Approbation of the Court of Directors, whose Father had an equal Share with the Nabob Jaffer Ally Cawn in the Negotiations which laid the Foundation of the British Empire in India, was abruptly and ignominiously dismissed, to make room for Rajah Gourdas, and to expiate, in his stead, the Inconsistency and Unworthiness of his Father, Maha Rajah Nundcomar.

One Cause indeed they have assigned for the Dismission of Mahraja Rajebullub, which is implied in their Objection to his original Appointment, viz. his extreme Youth and Inexperience. If these are Disqualifications, the Gentlemen of the Majority have been very unfortunate in the Choice which they have made of Rajah Gourdas to supply his Place. Mahraja Rajebullub is at this Time Thirty-one Years of Age, and had acted in the Character of Roy Royan before his Appointment by the late President and Council: Rajah Gourdas is at this Time but Twenty-four Years of Age, was never employed in the Business of the Revenues, and, I will venture to say, is incapable, by any Practice, of acquiring a competent Knowledge of it. This Opinion of Gourdas is not of late Adoption; it will be found both in my Minutes and in one of Mr. Middleton's, in the Proceedings

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of the Committee of Circuit, at the Time in which he was proposed for the Dewanny of the Nizamat, and assigned as the principal Reason for giving him that Appointment.

I have Reason to believe that the Court of Directors, in the Orders which have been above quoted, considered them as strictly conformable to the Sentiments which I had myself entertained, and even expressed to them, upon the Subjects to which they refer; and will hear perhaps with Surprise, that these have been made use of to cast a Reproach on my Conduct, and to ground on them the Repeal of the Measures of the past Administration, which have already had their repeated Applause and fullest Confirmation.

I hope therefore I shall stand sufficiently excused to them, if I decline to enter again into a Field of superfluous Argument to prove the Propriety of those Arrangements, or to convince those from whom I have received the most honourable Testimonies of their Satisfaction with my Conduct, that it was not, as the Gentlemen of the Majority are pleased to affirm, "a direct Disobedience of their Orders;" yet, as the Minute of the Majority contains many Misrepresentations, Misquotations, and Conclusions which, according to my Conceptions, do not justly follow from their Premises, I shall beg Leave to extract such Passages of it as appear liable to those Objections, and insert my Replies in the opposite Column to them.

The mischievous Consequences of departing from this System have been such, as the late President and Council might easily have foreseen. For want of a Person of Credit and Abilities to fill the Station of Minister, and who, supported by our Influence, and subject to our Controul, might represent and act for the Nizam during his Minority; the Country Government, which it has been the constant Policy of the Company to support, has been reduced to such a State of Weakness and Insignificance, as not even to carry the Appearance of a Government, either to its own Subjects or to Foreigners.

The mischievous Consequences intended by the Paragraph, ought to be pointed out. I know of none which were produced by the Abolition of the Office of Naib Soubah, or the Appointment of Munny Begum to be the Minister of the Nabob's Government. It is of little Consequence whether Rajah Gourdass, or Mahomed Reza Cawn; whether with the Title of Guardian or Dewan, or of Naib Soubah, be made use of as the Instrument of authenticating the Acts of Government, which affect the foreign European Nations. All the Arts of Policy cannot conceal the Power by which these Provinces are ruled, nor can all the Arts of Sophistry avail to transfer the Responsibility of them to the Nabob, when it is as visible as the Light of the Sun, that they originate from our own Government; that the Nabob is a mere Pageant, without the Shadow of Authority, and even his most consequential Agents receive their Appointment from the Recommendation of the Company, and the express Nomination of their Servants. Even the Orders of the Court of Directors of the 28th August 1771, which direct the Appointment of an ostensible Minister to the Nabob, and under which the late Arrangements are professedly formed, appear in the printed Proceedings of the House of Commons; and are open to the View of every Nation in Europe.

If more shall be thought necessary for the Elucidation of a Subject of such self-evident Conviction, I beg Leave to refer to the Minutes of the Committee of Circuit, entered on their Proceedings of the 11th and 28th of July 1772, and to my Minute of the 31st of July last, which went a Number in the Northumberland's Packet; in which the Mode of Conduct to be observed with the Foreign European Settlements, and the Consequences of the Pretences which have been held out to them by this Government, are very fully discussed.

Every Member of this Board must know, and we believe that no Man feels it more sensibly than the Governor General himself, that since the Transfer of the Lands from the original Owners to the present Farmers, and since the Abolition of the local Jurisdiction exercised by the Zemindars in their respective Zemindaries, which followed that Transfer, the internal Government of the Country has fallen into a most alarming State of Confusion.

I cannot subscribe to the Opinion which is quoted as mine in this Paragraph. In the Plan which I delivered in to the late Board of Revenue, on the 19th of April 1774, and to which I suppose it alludes, I mentioned, as one Cause of the Encrease of Robbers, "the Removal of that Claim which the Public, by immemorial Usage, before possessed, to the Restitution of all Damages and Losses sustained by Robbers on the Zemindars of the Country." It was not "the Abolition of the local Jurisdiction exercised

By the Constitution of Bengal, the Zemindar presided in the Criminal Court of his District, pronounced and executed Sentences on all Offences less than Capital, and was answerable to the Nizam for the Peace and good Order of the Country, as far as his Jurisdiction extended.—An Institution of this Nature might undoubtedly be liable to Abuses, but it was conformable to the Manners and Prejudices of the People, who looked up to their Chiefs alone for Justice and Protection. It made an essential Part of the Constitution of the Country, and could not be abolished without breaking that regular Chain of Subordination and Dependence, by which the Government and the People were united in one Political Body.

“ exercised by the Zemindars,” but of the Disuse of the Penalty to which I, in Part, attributed those Disorders. The Farmers possessed the same Powers which the Zemindars had exercised before, but the Penalty was not exacted from them, because, as I have stated it in the same Minute, it would have ultimately fallen on the Government itself; and so it would, if the Zemindars had been left in Possession, and the Penalty exacted from them, unless such a Share of the Rents had been allowed them as was retained by the Zemindars when they held their Lands, in a less Degree of Dependence on the Government; which has not been the Case for many Years before I returned to this Country, or even before the Acquisition of the Dewanny.

The Nature of the Jurisdiction which the Constitution of Bengal allowed to the Zemindars, as it is explained in the opposite Paragraph, differs very widely from the Idea which I have always entertained of it. I venture to pronounce, with Confidence, that, “ by the Constitution of Bengal the Zemindar neither presided in the Criminal Court of his District, nor pronounced nor executed Sentence on all Offences less than Capital;” nor on any Offences whatever except the Non-payment of the Rents. “ He was answerable ” (it is true) “ for the Peace and good Order of the Country, as far as his Jurisdiction extended,” but only as the subordinate Instrument of a larger System. The Land Servants, or the ancient Militia of the Country, were under his immediate Charge, and being distributed throughout the Zemindarry, enables the Zemindar both to watch over its internal Quiet and to obtain Information of whatever passed in any Part of it; and so far the Foujedarry Jurisdiction is inherent in the Zemindar. In the Exercise of it he was subject to a Foujdar, who had the Superintendence of a District comprehending many Zemindarries; and had the Tannahs or inferior Stations under the Charge of Affairs, and armed Men dependant on him, besides a Part of the Land Servants of each Zemindarry, the rest being employed to guard the Villages and enforce the Collections.

It was the Zemindar’s Duty to give constant Intelligence to the Nabob, through the Roy Royan, and to assist the Foujdar in the Apprehension of Robbers, and in executing the Measures which were required of him for preserving the Peace of the Country; but this Duty first and immediately belonged to the Foujdar, who was the Representative of the Nizam, and “ to him the People looked up for Justice and Protection even against their Chiefs.” The Foujdar was the Check even upon the Zemindars, who were often, and those of the Dacca District always, the Patrons and Abettors of Decoys, whose Haunts and Practices it was their especial Duty to detect. In effect, the Law or Custom which made the Zemindar responsible for all Robberies committed in his District, whatever might have been the Purpose of its original Institution, operated, and was regarded under the Mahomedan Government, rather as a Punishment for Connivance than a Fine for Neglect. Many Instances may be quoted of Zemindars who ex-

exercised

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Mr. Hastings himself admits these Consequences, and declares, that by the Removal of the Zemindarry Jurisdictions the Confidence of the Decoyts was encreased, &c.

Abuses will find their Way into the Practice of the wisest Institutions; but they ought to be corrected by a steady and vigorous Administration, not by rashly forcing the accumulated Wisdom and Experience of Ages to yield to the crude Ideas of a few Foreigners (for such the English are in Bengal) on a Subject which they can hardly be supposed to have understood, even if they had had the Welfare of the Country ever so seriously at Heart.

exercised other Powers, and particularly in the oppressive Custom which they had assumed of levying unlimited Fines from their Ryots on Accusations of Fornication, and a Variety of other Pretences. Such is the Case in all despotic Governments, especially in those which have undergone frequent Revolutions; but I believe, and I have Authority for believing, that the constitutional Powers, of which the general Police of Bengal was composed, will be found to have been exactly as I have described them. The Abuses which were exercised by the Zemindars, and others in Authority, are enumerated amongst other Evils by the Committee of Circuit, in a Letter to the Board, dated the 15th August 1772, in these Words: "The Zemindars, Farmers, Shudras, and other Officers of the Revenue assuming that Power, for which no Provision is made by the Law of the Land," &c. &c. This is a clear Demonstration that the Zemindars were at that Time regarded by myself, and by the Committee of Circuit, as possessing no Right to exercise a judicial Authority; and being written on an Occasion on which we could not be suspected of any Bias, will be admitted by every candid Judge as a Proof that the Zemindars really did not possess that Right. The Zemindar of Burdwan was allowed the Exercise of a Fouzdarry Jurisdiction by a special Sunnud from the Nizam. I believe there is not another Instance; and this is rather a Proof of the Existence of the System which I have described, than an Exception to it, otherwise an especial Sunnud would have been unnecessary.

This is a Mis-quotation, which, by substituting one Word for another entirely changes the original Sense. It was not by the Removal of the Zemindarry Jurisdictions, "but of the Fouzdarry," that I declared that the Confidence of the Decoyts was increased, &c. and it was for that Reason I recommended the Restoration of the Fouzdarries.

Men who treat with Contempt the Opinions of others, ought to be very well grounded in their own. The simple Construction of this Paragraph does not point out with Precision whom it intends by "the few Foreigners who have" "rashly forced the accumulated Wisdom and" "Experience of Ages to yield to their crude" "Ideas;" but as the Censures of the Gentlemen of the Majority have never been carried further back than the Period of the late Administration in which I presided in it, I conclude that it is meant to charge me and my former Colleagues with having abolished the ancient Constitution of Bengal, and introduced Innovations formed on our own crude Ideas in its stead.

To obviate any Impression which might be made by such an Imputation, I am glad of this Occasion to declare, that all the Measures of the late Administration, to which the Minute now before me has any Reference, were no more than the Forms of Government which belonged to the ancient Constitution of Bengal, revived with such Modifications, and such only, as were absolutely necessary to accommodate it to the Genius and Principles of our own. The Fouzdarry Jurisdiction was abolished long before the Com-

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mencement

The Revenues could not easily be collected by the Farmers, if a Power had been reserved to the Zemindars, to which the Ryots might have Recourse against the Oppression of their new Masters.

It became necessary therefore to form a new Plan for the Administration of Criminal Justice; a Court of Fouzdarry Adawlut was accordingly established in each District, for the Trial of all Crimes and Misdemeanors.

What Benefit indeed could be derived from the new Courts of Justice, when even the Regularity and Precision introduced into their Proceedings are assigned by Mr. Hastings * *as one Cause of the Increase of Robbers*. No stronger Proof can be produced, that they were not founded on Principles reconcileable to the Genius and Temper of the People.

* Vide Mr. Hastings Minute of the 17th April 1774.

menacement of my Government; the Custom by which the Zemindars were compellable to make Restitution for Stolen Goods, was become obsolete; and the Courts of Justice had fallen into Disorder many Years, even before the Company acquired the Dewanny. These Changes and Corruptions were the natural Effects of a disordered System, and the usurped Power of Individuals, under the frequent Revolutions to which the Country had been subject, during the Course of the last Twenty Years; and it was the Labour of the late Administration to eradicate and correct them, not by inventing new Expedients, but by endeavouring to adopt those which the accumulated Wisdom of Ages had already prepared. Conformably to this Rule, the Courts of Justice were re-established with little other Variation besides the entire Separation of the Criminal from the Civil Judicature, and the Admission of the authorized Jurisprudence of the Hindoo's, which the Bigotry of the Mahometan Rulers permitted, but without an acknowledged Right, to the Exercise of it. On the same Principles an Attempt was made to restore the Fouzdarry Establishment, but not universally, because we were fearful of hazarding their Effects at once over the whole Face of the Country, till some Experience had convinced us of their Utility.

This is a very strange Reason assigned for the Establishment of the Fouzdarry Adawluts, and is so peculiarly inapplicable to their Institution, that the Oppressions which the Farmers exercise over the Ryots are not even cognizable in the Fouzdarry Courts. Those who candidly read the Plan which was formed by the Committee of Circuit for the Administration of Justice, will conceive very different and more liberal Sentiments of the Motives and Design of the Courts, both of Civil and Criminal Judicature; which, unless I am deceived by my Advices, have obtained universal Applause in England, and have been productive of the most beneficial Effects in Bengal.

It is difficult to reply to a Reasoning of this Kind, which consists only in a superficial State of the Argument which it is intended to refute, without a direct Conclusion from it.

In the Plan which was proposed for the Institution of Fouzdarries, Four principal Reasons were assigned for the Increase of Robbers, one of which was, the "Regularity and Precision" which had been introduced into the new "Courts of Justice;" because the Mahometan Law required the positive Testimony of Two Witnesses for the Conviction of capital Offenders, and the Decoyts carrying on their Designs in the Night and under Disguise, could only be convicted by presumptive Proofs, by the Notoriety of their Characters, or by their own Confession. I know not by what Connection this is said to be a Proof that the Fouzdarry Courts were not founded on Principles reconcileable to the Genius and Temper of the People. The Law was introduced into Bengal with the First Mahometan Conquest, and is as old as the Roman Civil Law, from which it is probably derived. It has never been found to be repugnant to the Genius and Temper of the People; and its Effects have been such

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As a Remedy for this and many other Evils, which the Establishment of the Foujdarry Courts had either created or not removed, particularly the Want of Ministerial Officers for the Apprehension of Offenders, which the new System had not provided for, the late President, in his Minute of the 19th April 1774, proposes the farther Institution of several Foujdars or Officers of Police, to be stationed in the Districts, with Power to apprehend Decoyts and other Offenders, and bring them to Justice.

We have too much Reason to believe, that the Phoufdars themselves, with their numerous Followers, have, in many Instances, either screened the Decoyts or joined with them; and that upon all Occasions they have made Use of their Power to plunder and oppress the People whom they were sent to protect.

The Governor General has repeatedly represented to this Board, the deplorable State of the Provinces with respect to the Administration of Justice. He has desired to be relieved of the Superintendence of the Phoufdarry Courts, and Controul of the Phoufdars, as of a Burden to which he is unequal; and has requested us to take the Subject generally into our Consideration.

such as every Nation, however civilized, must have experienced, where Justice was administered with a scrupulous Exactness. To this Defect, which is the Defect only of the best Institutions, the Mahometan Law has provided one effectual Remedy, by allowing a Power in the Magistrate to interpose an extraordinary Authority for the Punishment of such Offences as the Law in its ordinary Course could not reach. In such Cases, if the Guilt was enormous, and the Proofs amounted to an internal Conviction, it was usual, and the Law enjoined it, to punish the Offender with Death, for an Example and Terror to others; and this Practice I ventured to recommend, because it was the Law of the Country, because it was reconcileable to the Genius and Temper of the People, and because I knew that the Peace of the Country could not be preserved without it. More I presume need not be said, to prove that the Defects of the Foujdarry Courts, if such can be called Defects, were not owing to any Form given them by the late Government, but were inherent in their original Constitution, and inseparable from it.

The Gentlemen of the Majority very unfairly pass over the real Causes which were assigned for the Institution of the Foujdar or Officer of the Police, and confine it solely to one which had no original Share in it.

The Foujdars were recommended to be appointed for the Guard of the Country, because, since their former Abolition no other, or at least no effectual Means, had been provided for securing the Peace of the Country; because many of the Land Servants, who were the constitutional Guards of the Country, had been dismissed; and because the Farmers and Zemindars being no longer answerable for Robberies, either neglected or encouraged them. The Encouragement afforded to public Robbers by the scrupulous Exactness of the Foujdarry Courts of Justice, is mentioned for the Purpose of recommending another Remedy as above explained, with which the Office of the Foujdars has no Kind of Relation.

Affirmations are no Proofs. I have Reason to believe, that the Foujdars, instead of screening the Decoyts, as the Gentlemen of the Majority suppose, did very effectually contribute to suppress them; and produce, as a Proof of this, the Petition of the Ryots of Buzergomedpoor, which is entered in the Revenue Proceedings of the 7th of April last, for the Appointment of a similar Jurisdiction in that District, expressly grounding their Request on the Effects which had been produced in the neighbouring Districts from that of Mirzanagur.

This has no immediate Connection with the preceding Subject, nor do I know why it is introduced in this Progression. I shall reply to it as it stands, without Regard to any other Conclusion to which it may point, except the everlasting Theme of the Impropriety of every Measure which was formed by the last Administration. It is true, that I have frequently represented the deplorable State of the Provinces with respect to the Administration of Justice, and desired to be relieved from the Superintendence of the Foujdarry Courts, and the Controul of the Foujdars. But
I beg

APPENDIX, N° 6. (H)

He should be instructed to superintend the Nabob's Education, to chuse proper Servants and Companions for him, and to endeavour to recover him from the dishonourable State of Ignorance and Dissipation in which we fear he is still immerfed.

Another and most important Branch of the Minister's Duty, should be to examine into the actual State of the Foujdarry Courts and Conduct of the Foujdars; and to take a general Review of the Administration of Criminal Justice throughout the Country. He should have full Authority given him, either to enforce the Operation of these Courts upon the present Establishment, or to new-model and correct them.

I beg Leave to assign in this Place my Reasons for the one, and my Motive for the other: The Courts of Justice were regularly conducted till the Accession of the present Council; from that Date the Dewanny Courts have been neglected; the Sudder Dewanny, to which all Appeals were made from the inferior Courts, has been disused, and since totally abolished. From the same Period may be dated the disordered State of the Foujdarry Courts. To these I used formerly to give a large Portion of my Time: But neither in the Superintendence of these Courts, nor in the Controul of the Foujdars, could I venture any longer to act, when I saw myself deprived of the Confidence and Support which had formerly enabled me to execute so delicate a Trust, and when every Occasion was seized by my Associates in the Government, to weaken my Authority and to blacken my Conduct.

The implied Sense of this Sentence is, that the Nabob's Education has been greatly neglected by Munny Begum. I believe the Charge is without Foundation. When I met him at Plassey in June 1772, I found him in a State of extreme Mean-ness, and deficient in Language, Sentiment, and even of the most ordinary Forms of Civility. I met him at the same Place the next Year, with a Retinue suitable to his Dignity, and his Manners and Language totally changed. He was about 14 Years of Age when he was placed under the Tuition of Munny Begum; and I believe it is generally allowed, that the Bent of Genius and Habits of Inclination, which have taken Possession of the Mind at that Period, are seldom to be eradicated by any subsequent Precept or Example, but decide the future Character of a Man through Life.

From this Sentence, and from other Passages in the Minute of the Gentlemen of the Majority, in which they seem to confound the Foujdarry Courts and Foujdars, I am afraid, from the Similitude of the Name, which was perhaps too scrupulously retained in the Institution of the latter, others, who have less Means of being informed of the Nature of those Establishments, may be misled to understand them as being connected, or as bearing some mutual Relation. It may be proper therefore to obviate the Misconstruction, by a brief Explanation of the Nature of both.

The Foujdarry Courts are Courts instituted for the Trial of all Crimes and Misdemeanours. The Foujdars are Officers appointed to guard the Peace of the Country, and to seize all Offenders against it. They have no Power to judge or to punish; but are to consign such Persons as they have apprehended, to the Foujdarry Courts, where they are to undergo their Trial. This Transfer is the only Connection which one Office has with the other; their Proceedings and their Authority being totally distinct and independent. Both will, I hope, be continued, and the Foujdarry, or the Establishment of the Police, extended to every Part of the Country, according to the Design of its first Institution. I am still of Opinion, that better Plans cannot be devised for the Satisfaction of the People, and their Protection from the worst of Oppression.

(Signed)

Warren Hastings.

A P P E N D I X, N° 6. (I) (J)

(I)

Fort William Secret Consultations, 7th December 1775.

Extract of Minute of General Clavering, Colonel Monson, and Mr. Francis, dated 21st November 1775.

8th. The Motives on which we have restored Mahomed Reza Cawn to the Office of Naib Soubah, have been clearly explained. To recover the Country Government from the State of Feebleness and Insignificance to which it was Mr. Hastings's avowed Policy to reduce it, was no easy Task. According to the Governor General's Plan, we should have confined the only Man perhaps of real Abilities and extensive Knowledge in the Country, to the unimportant Office of Steward of the Nabob's Household, at a Time when a Minister of the Government was wanted, and when the Administration of Criminal Justice through the Country was at a stand. The Measure seems to us indispensably necessary, and promises Success. In recommending Mahomed Reza Cawn to his present Post, we presume to think that we have rendered an essential Service to the Company.

(J)

Extract of Fort William Secret Consultations, 11th December 1775.

The Accomptant General to the Revenue Department sends in an Account of the Balance due of Arrears of Salary to Mahomed Reza Cawn.

A P P E N D I X, N^o 6. (J) (K)

Ordered, that the Account be entered after the Consultation; and that it be translated into the Persian Language, and sent to the Nabob's Vaqueel, to explain the Cause of the Difference arising between the Account delivered in by the Nabob and that now before the Board: And

Resolved, That the Balance, amounting to Sicca Rupees 1,58,869. 8. 19. 2. be advanced from the Treasury at Moorshedabad to the Resident at the Durbar, and that he pay the same to Mahomed Reza Cawn.

The following Letters are in Consequence written to Moorshedabad and Mr. Martin.

To Mr. Edward Baber, &c. Council, Moorshedabad.

Gentlemen,

We direct that you advance from your Treasury to the Resident at the Durbar, on his Application to you, the Sum of Sicca Rupees, One Lack Fifty-eight thousand Eight hundred and Sixty-nine, ^{S^a. R^s.} Eight Annas, Nineteen Gundas, and Two Cowries (1,58,869. 8. 19. 2.) for Payment of Arrears of Salary due to the Nabob Mahomed Reza Cawn.

Fort William,
11th December 1775.

We are, &c. &c.

To Mr. W. B. Martin, Resident at the Durbar.

Sir,

You will pay unto Mahomed Reza Cawn the Sum of Sicca Rupees, One Lack, Fifty-eight thousand ^{S^a. R^s.} Eight hundred and Sixty-nine, Eight Annas, Nineteen Gundies, and Two Cowries (1,58,869. 8. 19. 2) being the Balance due to him for Arrears of Salary previous to his Dismission from the Office of Naib Soubah, on the 28th April 1772. This Sum the Chief and Council at Moorshedabad have been ordered to advance you.

Fort William,
11th December 1775.

We are, &c. &c.

(K)

Extract of General Letter to Bengal, dated 24th December 1776.

Par. 35. The easy Prey which the Nabob has been made to his menial Servants, and their utter Want of Ability, Integrity, and Attention, to render him in any Degree respectable, even in the Eyes of the Natives, are Circumstances that had led us to reconsider our Instructions to our late President and Council respecting Mahomed Reza Cawn. We were always of Opinion, that an able ostensible Minister, during the Minority of the Nabob, would be necessary; and late Events have but too strongly confirmed us in such Opinion: And as the Abilities of Mahomed Reza Cawn have been sufficiently manifested; as official Experience qualifies him for so high a Station in a more eminent Degree than any other Native with whom the Company has been connected; and as no Proofs of Mal-administration have been established against him, either during the strict Investigation of his Conduct, or since his Retirement; we cannot, under all Circumstances, but approve your Recommendation of him to the Nabob, to constitute him his Naib: We are well pleased that he has received that Appointment, and authorize you to assure him of our Favour, so long as a firm Attachment to the Interest of the Company, and a proper Discharge of the Duties of his Station, shall render him worthy of our Protection.

36. We are by no Means prepared to decide upon that Part of your Instructions which commits the Administration of Criminal Justice entirely to the Superintendence of Mahomed Reza Cawn, nor of his Plan for carrying the same into Execution; we observe it has had your Approbation, and therefore suppose it is at present operating in the Country; but whether, in the present State of Things, such Authority could be legally conferred on Mahomed Reza Cawn, or whether his Instructions to his inferior Phoukdarry Officers will clash with the Jurisdiction of the Supreme Court established by His Majesty's Charter, are Questions of too great Importance for us to hazard an hasty Opinion thereon. We have already laid before His Majesty's Ministers a Collection of such Papers as must explain our Embarrassments, occasioned by the extensive Operation of the Authority and Jurisdiction of the Supreme Court of Judicature over Natives not in the Service of the Company: And if any Alterations should be made in consequence of our Application, or otherwise, you will of course receive Information. In the mean Time, Copies of your Instructions to Mahomed Reza Cawn, and of his Plan for the Execution of Criminal Justice, shall be laid before the most eminent Counsel in this Kingdom, in order to obtain their Opinions, whether any Objections arise thereto in Point of Law; which Opinions we shall transmit to you by the earliest Opportunity for your Information and future Guidance.

A P P E N D I X, N° 6. (L) (M)

(L)

Extract of Fort William Secret Consultations, 23d February 1778.

The Governor General desires that the following Letter from the Nabob Mobareck ul Dowla may be read.

From the Nabob Mobareck ul Dowla : Received 12th February.

I have already address'd repeated Letters to your Excellency, stating very fully the Trouble and Uneasiness I suffer from the Nabob Mahomed Reza Cawn's being invested with the Office of the Naibship of the Nizamut, with the Management of the Affairs of the Country, and of the several Offices of my Household, the Administration of the Business of the Adawlut and Phoufdarry within the Soubahs, and of all the Affairs of the Nizamut, as well as of my domestic Concerns, and the Superintendence of myself and Family; because the said Nabob, regarding only his own Benefit, and the Increase of his Greatness in future, pays no Regard or Attention to my Interest or Advantage.

The Nabob Mahomed Reza Cawn is neither connected with me by the Ties of near Relationship, nor of sincere Attachment; that he should be invested with such a Degree of Power, is highly oppressive and dishonourable to my Family. I am now, by the Favour of God, come to Years of Maturity, and to that Age when, by the Precept of our holy Law, and the Usage of Mahomedanism, I ought to take Charge and Management of my own Affairs; and by the Blessing of the Almighty, I am not so devoid of Understanding as to be incapable of conducting them. I am therefore hopeful, from your Favour and Regard to Justice, that you will deliver me from the Authority of the aforesaid Nabob, and give your Permission that I take on myself the Management of the Adawlut and Phoufdarry of the Soubahs, as well as of my own Household, and of the Business of the Nizamut, which is my Right.

The Company who have acquired so great Authority in this Country, and raised themselves to their present Degree of Greatness and Dominion, are indebted for the Advantages solely to the warm Support of my Ancestors; and you know what Degree of Authority I am at present possessed of. I therefore ask nothing more than my Right; and should the Company, disregarding the Situation and Rights of this Family, refuse their Approbation to my Request, which is perfectly just and right, it will be highly inequitable.

I am hopeful that, maturely weighing this Matter, your Excellency will give me the Management of the Affairs of the Nizamut, of my own Household, and the Offices attached thereto, together with the Administration of the Adawlut and Phoufdarry within the Soubahs, which are my Right. This will be an Act of the highest Justice in the Gentlemen, and will engage my Gratitude, and that of all the helpless Dependents of this Family.

Governor General—I move, that the Opinions of the Members of the Board may be taken, Whether the Requisitions contained in the above Letter shall be complied with, or denied? It is late, nor would I wish the Board to form any decided Resolution upon a Subject of this Nature, without the fullest Deliberation; I desire, therefore, that the Secretary may send the Letter and Question round to the different Members of the Board, that their Opinions may be taken at the next Meeting of Council.

Ordered, That the Letter from the Nabob Mobareck ul Dowla be accordingly circulated with the above Question to the Members of the Board, for their Opinions thereon.

Warren Hastings.
Rich^d Barwell.
P. Francis.
Edw^d. Wheler.

(M)

Extract of Fort William Secret Consultations, 2d March 1778.

Re-considered the Letter from the Nabob Mobareck ul Dowla, received the 12th, and recorded the 23d ultimo.

Mr. Wheler delivers in the following Minute:

Mr. Wheler—After having very maturely considered the 40th Paragraph of the General Letter from this Presidency to the Court of Directors, dated the 20th November 1775, particularly that Part of it which mentions the Appointment of Mahomed Reza Cawn to the Naibship of the Nizamut, for the Support of that ostensible and active Power in the Nizamut which the Nabob, from Youth and Neglect of Education, was judged incapable to exercise; and having likewise perused the

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the 35th Paragraph of the General Letter from the Court of Directors, dated 24th December 1776, wherein they highly approve, for the Reasons above quoted, of the Appointment of Mahomed Reza Cawn; I am of Opinion, that the Request now presented to this Board by his Highness, consistently with those Orders, cannot be complied with here; but that it will be proper to submit the same to the Determination of the Court of Directors, together with such Remarks as may serve to apprize them of the Consequence, whether beneficial or otherwise, that may probably result from complying with his Highness's Request. And I am further inclined to this Mode, from a Belief that, although his Highness was under Age when placed under the Guardianship of Mahomed Reza Cawn, it was well known to the Court of Directors that, previous to the Date of their Letter approving Mahomed Reza Cawn's Appointment, or to its Arrival in India, his Highness either had or would shortly attain the Years of Maturity.

Fort William,
28th February 1778.

(Signed)

Edw^d. Wheler.

Mr. Francis delivers in a Minute containing his Opinion, as follows:

Mr. Francis—I could have wished, that before I had been called upon to deliver my Opinion on the present Question, the Merits of it had been stated to us by the Governor General, and regularly debated at the Board. The Institution of a Council supposes a reciprocal Communication of Opinions, and that no Resolutions shall be formed without a previous Debate. Reserving, therefore, to myself the Right of altering or qualifying the Answer I now deliver in, according to the Lights and Information I may receive from the other Members of the Board, I must declare, that I think we have but one Course to pursue.

The Letter received from the Nabob Mobareck ul Dowla should be referred to the Court of Directors. I do not myself see any one Motive that should press this Government to take upon themselves the hazardous Resolution of complying with the Requisitions contained in it; especially at a Time when Measures of the greatest Importance to the Welfare of India already divide our Councils, and ought to engross our Attention. The Subject is delicate in its Nature, and I wish to speak of it with Caution and Reserve. The Board will consider maturely what Consequences the Compliance required of us may lead to; with what Demands upon the Company it may be followed; in what Manner it may affect the internal Government of these Provinces, and how far it may coincide with or embarrass Arrangements at this Moment probably under the Consideration of the Legislature for the permanent Settlement of Bengal.

With respect to the Removal of Mahomed Reza Cawn, I shall only observe at present, that the Court of Directors have approved of our Recommendation of him to the Nabob, to constitute him his Naib; that they are well-pleased that he has received that Appointment, and that they have authorized us to assure him of their Favour. I trust that no Member of this Board would recommend or approve of the Dismissal of a Man whom the Court of Directors themselves consider as qualified for the high Station he holds, in a more eminent Degree than any other Native with whom the Company has been connected, without their express Authority, or unless some Crime had been proved against him.

Mr. Wheler and I having delivered our Opinions on the Question brought before the Board by the Governor General, I must request that the Governor will be pleased to favour the Board with his Opinion upon it.

Governor General—I did not expect that my Opinion would be required until those of the other Members had been regularly taken in Succession; nor was this Day appointed for collecting the Opinions upon the Subject. Mr. Barwell's has not been received; he is absent; I shall therefore decline to give my Opinion at this Day's Consultation, unless the Majority of the Board now assembled shall require it.

Mr. Francis—On this Day Sevensnight the Governor General moved, that the Opinions of the Members of the Board might be taken on the Subject of the Nabob's Letter. The Motion states, that their Opinions may be taken at the next Meeting of the Council; and the Question was brought forward again this Day, I presume, with the Governor's Approbation, at least, it was not called for by any other Member of the Board; I believe therefore I am perfectly regular in Point of Form, in requesting his Opinion may follow those of the Members present: I therefore beg Leave to repeat my Request in the Form of a Motion; but am ready, if the Governor General approves of it, to put off the Consideration of this Question until this Day Fortnight.

The Governor General—I desire the Secretary to declare, whether he had any Directions from me to bring this Matter before the Board?—This is properly the Consultation following that in which the Question was first brought before the Board; as the Meetings on Thursdays, though held in this Chamber, belong only to the Department of Inspection, and are held by a Summons issued by the Secretary to that Department. It was probably my Intention to have brought on the Question for Decision this Morning, but I apprehend it cannot be done with Regularity, as one of the Members of the Board, whose Opinion I presume will be essentially necessary, is at this Time absent. It will rest with the Majority of the Board assembled, to let the Question take its due Course, or to force it to an immediate Decision, subject to a regular Confirmation or Repeal at the next Meeting. I cannot consent to the Compromise proposed by Mr. Francis; it is inconsistent with the Demand for an instant Decision.

The Secretary begs Leave to acquaint the Board, that he did not receive any Orders whatsoever for

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for bringing on the Consideration of the Nabob's Letter this Morning, but that he introduced it as a Subject depending before the Board in the regular Course of Business.

Mr. Francis—In proposing to defer the Question to this Day Fortnight, I have explained myself to mean, that we should wait for the Receipt of the Company's Letter now on board one of the Ships at Madras, and which we may probably receive in that Time; since that is not approved by the Governor General, I adhere to my First Motion, being perfectly sure that I proceed not only with the strictest Observance of the Forms of the Board, but with the utmost Candour and Consideration.

The Governor General—From the Whole which has passed in this Debate, which hitherto has been confined to Mr. Francis and myself, it is very evident that Mr. Francis persists in his Motion on the Presumption of a superior Influence, occasionally over-ruling me at this Day's Meeting, otherwise it is impossible to conceive any Reason why he should insist on an instant Decision of the general Question proposed by me on last Monday, when he at the same Time proffers the Suspension of it for a Fortnight, and the Time in which I would propose to suspend it will necessarily form a Part of that Interval, and of Course come nearer to his own Proposition than an immediate Determination. I forbear to say more upon the Subject: It will rest with Mr. Wheler to determine whether the original Question shall be determined immediately, or wait until the Assembly of the Board is compleat.

Mr. Francis—If the Board will not unanimously agree to wait for the Receipt of the Company's Instructions, now upon their Way probably to this Place, it is not in my Power to assign a Reason why the Board should not decide the Question now. The Motive imputed to me for urging such Decision at present, though in fact I have not done so, will, I believe, in the Mind of every impartial Judge, be full as applicable to the Desire intimated by the Governor, that Mr. Barwell's Presence should be waited for. Considerations of that Kind are irregular, and, as I think, not fit to be insisted on of either Side. I beg the Question may be put.

The Governor General—I believe I know Mr. Barwell's Sentiments upon the general Question, as I know Mr. Wheler's; but the Question now before the Board is of a different Nature, and is most undoubtedly an Advantage taken of the present Composition of the Board; it may, however, prove an instructive Experiment, and I shall not be very sorry that it is made. If Mr. Francis knows that the Company's Instructions, which he says are probably now on their Way to this Place, relate to the general Subject now under Consideration, I will readily agree to postpone it; but if he has no such Knowledge, and there is the strongest Reason to believe that they contain nothing which bears the most distant Allusion to it, I know not why I should be required to support the Credit of such a Suggestion.

Mr. Francis—I am not acquainted with the Contents of the Company's expected Letter; but I do believe, on the Authority of the Court of Directors themselves, expressed in their Letter to the late Sir John Clavering, that it contains some general Arrangements concerning the Affairs of this Country and the Government. They positively promised him to send out such Instructions by their next Dispatches.

The Governor General—I believe the Court of Directors will regret their ever having given such a Promise, when they know that it has been circulated to every Part of the Provinces, and even beyond the Dominions of our Ally the Nabob of Oude, for the Purpose of weakening the Influence of the present Administration, and defeating its Measures: It therefore becomes me, whilst I hold the Place I possess in this Government, to use every Means that may be requisite for obviating the Effects of so dangerous a Policy. This alone would be a sufficient Reason for me to refuse to protract the present or any other Question, until the Arrival of the Company's Orders, on the Supposition that they will contain the Confirmation of a Belief so industriously propagated.

The Question proposed by Mr. Francis being put,

Mr. Wheler—Of the Two Propositions made by Mr. Francis, I prefer the postponing the further Consideration of this Question for Fourteen Days; but as that is disapproved by the Governor General, I think it highly necessary that we should come to an immediate Decision, and I only regret that that Decision will probably not be final.

Governor General—I submit, and shall deliver my Opinion as nearly as I can in the Terms of the Question. It is my Opinion, that the Requisitions contained in the Letter from the Nabob Mobarck ul Dowla, entered in the Consultation of last Monday, be complied with.

Mr. Francis—I move, that it be resolved, in Conformity to the Opinions of a Majority of the Board, that the Nabob's Letter be referred to the Decision of the Honourable the Court of Directors; and that no Resolution be taken here upon the Subject of the Requisitions contained therein, without their special Orders and Instructions.

Mr. Wheler agrees.

Mr. Francis agrees.

Governor General—I object and protest both against this and the preceding Resolution.

Resolved, That the Nabob's Letters, recorded the 23d ultimo, be referred to the Decision of the Honourable the Court of Directors; and that no Resolution be taken here on the Subject of the Requisitions contained therein, without their special Orders and Instructions.

A P P E N D I X, N° 6. (N)

(N)

Extract of Fort William Secret Consultations, 5th March 1778.

Governor General—I move, that the Resolution passed in the last Consultation, to wit, “That the Nabob’s Letter be referred to the Decision of the Honourable the Court of Directors, and that no Resolution be taken here on the Subject of the Requisitions contained therein, without their special Orders and Instructions,” be repealed; and that the Question proposed by me in Consultation 23d ultimo, namely, “That the Opinions of the Members of the Board may be taken, whether the Requisitions contained in the Nabob’s Letter, recorded in that Day’s Proceedings, shall be complied with or denied,” may be reconsidered.

I must here observe, that the preceding Question was in a special Manner referred to the Consideration of every Member of the Board, and that Mr. Barwell’s Opinion upon it had not been received at the last Consultation, in which the preceding Resolution was passed. I desire my Minute, in which the original Question was proposed, may be entered in this Place.

Governor General—I move that the Opinions of the Members of the Board may be taken, whether the Requisitions contained in the above Letter shall be complied with or denied? It is late, nor would I wish the Board to form any decided Resolution upon a Subject of this Nature without the fullest Deliberation; I desire therefore that the Secretary may send the Letter and Question round to the different Members of the Board, that their Opinions may be taken at the next Meeting of the Council.”

Mr. Wheler—As the Governor General has assigned no other Reason for bringing this Question again before the Board, except the Absence of one of the Members, which might have been urged and accepted as a Motive for deferring the Question to the Time proposed by Mr. Francis, I am against rescinding the former Resolution, and reconsidering the Question now.

Mr. Francis—It is not affirmed or suggested that the Resolution taken at the last Consultation was not regular in Point of Form, or valid in Point of Law; neither has it been affirmed that sufficient Time was not given to the Members of the Board, to form their Opinions upon the original Question, or that the Consideration of it was brought forward by either of those Gentlemen whose Votes constituted the Resolution. We had a Week to consider it. The Day was fixed by the Governor’s own Motion, and the Debate was introduced by the Secretary’s reading the Nabob’s Letter, with the Governor’s Consent and Approbation, and without any Motion from Mr. Wheler or me. After Mr. Wheler’s Opinion and mine were read, we proceeded to other Business, and waited above Two Hours in Expectation of Mr. Barwell’s Arrival. From these Facts I presume it follows that the Objection now made to the Resolution on the Score of Mr. Barwell’s Absence, is not in any Sense valid; and the Governor General suggests no other for repealing that Resolution: I am left therefore without any Arguments proposed to counterbalance those on which my Opinion was founded. But if Arguments are even now offered against the Propriety of the Resolution itself, I shall be ready to enter into the Consideration of them. When no Arguments whatsoever are offered to justify the rescinding of a solemn Act of Government, I should think myself not only highly criminal, but, as a Man acting blindly and without Reason, if I consented to repeal it.

Mr. Barwell—Could I regard the Resolution of the 2d Instant as a solemn regular Act of Government, I should decline including my Opinion at this late Period; but when a Question has been proposed to be decided upon, the Sentiments that may be delivered by every Member of the Council, and the Right of every Member to deliver his Opinion, is not only acknowledged by the unanimous Admission of the Mode in which the Question was proposed, but by such Admission each Member is bound to deliver his Opinion, and each to allow the Weight carried by a Majority of such Opinions. I have no Option, nor can I submit to be excluded from a Right which the unanimous Reception of the Question in the Form it appears the 23d February, gives me. No subsequent Resolution could deprive me of the Privilege of a Vote on the present Subject, nor no Resolution independent of that Vote, I apprehend, can be an Act of Government, while Two Members only, without the Concurrence of one or both of the other Members, under such Circumstances, are pleased to call their Votes an Act of Government. The Manner in which the Question was proposed, and left for Decision, I must again observe in this Place, precluded a Decision, if any Difference of Opinion prevailed among the other Members, without mine being also delivered. For these Reasons I approve the Governor General’s present Motion as regular and proper to restore to me those Rights on the present Subject which were given me on the first Admission of the Question by the Board, and cancelled by the Resolution of the 2d Instant.

Mr. Francis—I beg Leave to call upon Mr. Barwell for an Explanation of those Words in which, as I understand, he affirms or intimates, that a Resolution taken by the major Part of the Members present in Council on Monday last, is not an Act of Government. The Meeting of that Day was summoned by the Governor General; and the Law declares, “That in all Cases whatsoever, the Governor General and Council shall be bound and concluded by the Opinion and Decision of the major Part of those present.”

Mr. Barwell—I really am at a Loss to express my Meaning in Terms clearer than those in which

which it already appears. I pretend not to deny that a Majority of the Council General constitutes an Act of Government: I simply point out, that the Admission of a Question for my Opinion, allows not the Council an Option to cancel the Privilege such Admission conferred, nor leaves it in my Power to decline a Vote on the present Subject. If any further Explanation is necessary, I must refer to the Company what I have already said; and flatter myself they will judge it both clear and explicit.

Mr. Francis—I submit it to the Judgment of our Superiors, whether the Words used by Mr. Barwell do or do not amount to a Denial of the Legality of the Resolution passed last Monday, from the Principles on which he now votes for repealing it? I apprehend it would follow, that any Member of this Board might, by absenting himself from Council in parallel Circumstances, prevent the Decision of any Question whatsoever.

Mr. Barwell—I apprehend Mr. Francis is wrong in construing my Denial of any Vote precluding my Opinion, under Circumstances such as I have already described, to amount to an Affirmation that the Votes of a Majority do not constitute an Act of Government: So far from it, that if it affirms any Thing, it is the contrary, that a Minority of any Question may not assume the Appearance of a Majority.

Resolved, That the Resolution, passed in the last Council, viz. “That the Nabob’s Letter, recorded 23d ultimo, be referred to the Decision of the Honourable the Court of Directors; and that no Resolution be taken here on the Subject of the Requisitions contained therein, without their special Orders and Instructions,” be repealed.

Mr. Francis—I beg Leave in this Place to enter my Dissent, and protest against this Resolution for the following Reasons:

1st. Because it reverses a regular and formal Resolution of a former Board, without any one Argument being urged against the Propriety of that Resolution.

2d. Because it deprives the Court of Directors of their Jurisdiction over a Question of the utmost Importance to their Affairs, and to the good Order of this Government, without any one Reason why the Decision of that Question should be pressed at this Time, and not referred to their Judgment.

Mr. Wheler—I likewise beg Leave to enter my Dissent, for the Reasons already assigned by Mr. Francis.

The Second Motion contained in the Governor General’s Motion being put, Agreed, That the Question proposed by the Governor General 23d ultimo, viz. That the Opinions of the Members of the Board may be taken, whether the Requisitions contained in the Nabob’s Letter, recorded on that Day, shall be complied with or denied? may be reconsidered.

Mr. Wheler and Mr. Francis having given their Opinions on the original Question in the last Consultation,

Mr. Barwell proceeds to deliver his Sentiments as follow:

Mr. Barwell—I am of Opinion, that as the Nabob is *pleased to demand and assert the positive Rights of his Office as Nizam of the Provinces*, and as he has been invariably acknowledged such by the Company and this Government, I do not see upon what Ground we can deny his Request: A Reference at this Time for the Orders of the Company would be an Evasion reflecting on their Honour, and unbecoming the Justice of the Government.

Governor General—The Nabob’s Demands are grounded on positive Rights, which will not admit of a Discussion.

He has an incontestable Right to the Management of his own Household.

He has an incontestable Right to the Nizamut; it is his by Inheritance: The Dependents of the Nizamut Adawlut, and of the Fouzdarry, have been repeatedly declared by the Company, and by this Government, to appertain to the Nizamut.

For these Reasons I am of Opinion, that the Requisitions contained in the Nabob’s Letter, entered in Consultation 23d ultimo, ought to be complied with.

Mr. Francis—Since it has been resolved that the Consideration of the original Question should be resumed, I desire that the Secretary will read to the Board the repeated Letters already addressed to the Governor General by the Nabob on this Subject previous to the last, as they will probably throw Lights upon it which are not before us at present.

Governor General—I must beg Mr. Francis’s Pardon for objecting to the present Motion, as it does not arise out of any new Matter produced at this Meeting; and as these Letters, if they are supposed to contain any additional Lights, ought to have been considered by him before he gave his Opinion, I have no Objection to their being produced. The Letter Book, containing the Persian Correspondence, ought always to be before the Board; and this is the only Day in which I recollect that they were not lying upon the Table. My Objection goes only to the Loss of Time which will be consumed in tracing the Nabob’s Letters which may have been written on the Subject, and in reading them to the Board. The Letter Books are now produced: I desire that the Assistant Secretary will examine them, and shew Mr. Francis such Letters as he finds contained in them from the Nabob. This I apprehend will answer all the Purposes for which he can require them, and the Time of the Board will be spared.

Mr. Francis—I understood the original Question was resumed *de novo*. In delivering my former Opinion, I reserved to myself a Right to alter it, according to the Arguments which might be stated in the Course of the Debate. The Letters in question, if they are entered on the Persian Correspondence,

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Correspondence, might have been read while we have been talking upon the Subject. I generally have examined the Persian Correspondence, but do not recollect to have seen any Letter from the Nabob, stating, as he says, very fully the Trouble and Uneasiness he suffers, from the Nabob Mahomed Reza Cawn's being invested with the Offices he now holds. From what I have heard of his Conduct, and of those Persons who are most in his Confidence, and have the greatest Influence with him, I can easily believe that Mahomed Reza Cawn's Authority is a Restraint over him. When that Restraint is removed, I do not doubt that he will immediately become what he was before, "an easy Prey to his menial Servants, whose utter Want of Ability, Integrity, and Attention to render him in any Degree respectable, even in the Eyes of the Natives, are well known to the Court of Directors." When the Rights of the Nabob to the Management of his Household, and to the Exercise of the great Offices dependent on the Nizamut, are so peremptorily declared, I should have conceived that his Ability to judge and act for himself, and his Capacity to execute Offices of such essential Importance to the Welfare of the Country, would also have been considered by a prudent Government. *I know with Certainty, that he is in his own Person utterly incapable of executing any of these Offices*; nor does it follow, from any Acknowledgment of his Rights, that it should not be the Duty of this Government to recommend to him wise and able Men, and such as the Company themselves are known to confide in, to support and carry on that Part of the Public Business which is still left, or supposed to be left, with the Nizam. The Company will judge of the real Motives and Object of the Requisitions brought before us in his Name, and how far such an Address from him will justify the Removal of a Minister, whose Appointment has been expressly, and in the highest Terms, approved by them on the 24th December 1776. The Secretary has yet pointed out to me but One Letter from the Nabob; which appears to have been received on the 17th November. In that Letter he says, "I am hopeful you will not keep me longer in this painful Suspence, but will be kindly pleased to write immediately to the Munny Begum, that she take on herself the Administration of the Affairs of the Nizamut, which is in fact her own Family, without the Interference of any other Person whatsoever: By this you will give me compleat Satisfaction." The Way then to give this young Prince complete Satisfaction, if we can suppose such Letters are really dictated by him, is to restore Munny Begum to the Administration of the Affairs of the Nizamut, without the Interference of any other Person whatsoever. By this Request it appears how little he thought himself qualified Three Months ago to take upon himself the Offices which he now desires to be invested with. I do not doubt that the Object of the present Measure is to restore Munny Begum in fact, if not in form, to the Power of which she was divested by a former Act of this Government. The Merits of this Lady are well known to the Company; but it may be proper to repeat in this Place what the Court of Directors have with great Reason thought fit to say of her: "Notwithstanding such vast Sums have been carried to the Nabob's Account, over and above his Stipend, in so short a Space of Time, we observe, that in May 1775 there was not a Rupee in his Treasury, though there were Demands upon him to a large Amount. This Circumstance alone, were there no other Impro-prieties in the Conduct of Munny Begum, would justify her Removal from the Office of Guardian to the Nabob, because it is evident, that under her immediate Superintendance great Part of his Allowance must have been embezzled, or very grossly misapplied."

Resolved, That the Requisitions contained in the Letter from the Nabob Mobareck ul Dowla, entered in Consultation 23d February, be complied with.

Mr. Francis—I dissent from and protest against this Resolution, because, in Addition to all the other Reasons expressed by me, it is a direct and positive Disobedience of the Orders of the Court of Directors, expressed in their high Approbation of the Appointment of Mahomed Reza Cawn to his present Employment; and because this important Resolution is taken without any one Reason being assigned in Support of the Necessity or Expediency of it.

Mr. Wheler—I accede to every Objection pointed out by Mr. Francis, and likewise join with him in his Dissent and Protest. Further, as the Nabob has thought proper at this Period to demand his positive Rights, and as those Rights may probably prove much more extensive than appears from the Question now before the Board; I am confirmed in my former Opinion, that his Highness's Request ought to be referred to the deliberate Decision of the Court of Directors, and not at present receive the Sanction and hasty Determination of this Board.

Governor General—I now move, that a Letter be addressed to the Nabob Mobareck ul Dowla, informing him that the Board have agreed to comply with the Requisitions contained in his Letter; but that he be requested to permit the present Judges and Officers of the Nizamut Adawlut, and of the Fousdarry, to continue in Office until he shall have formed a new Arrangement of those Officers, and shall have advised the Board of the same through the regular Channel of the Governor General. I move also, that the Substance of the preceding Resolution be communicated to Mahomed Reza Cawn.

Mr. Wheler—I object to the Letter, for the same Reasons that I have objected to the general Question.

Mr. Francis—I agree with Mr. Wheler.

Mr. Barwell—I agree to both the above Motions.

Resolved, That a Letter be addressed to the Nabob Mobareck ul Dowla, informing him, that the Board have complied with the Requisitions contained in his Letter, and that he be requested to permit the present Judges and Officers of the Nizamut Adawlut, and of the Phousdarry, to continue in their present Appointments until he shall have formed a new Arrangement of those Of-

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ficers, and shall have advised the Board of the same, through the regular Channel of the Governor General.

Resolved also, That the Substance of the preceding Resolution be communicated to Mahomed Reza Cawn.

Warren Hastings,
Rich^d Barwell,
P. Francis,
Edw^d Wheler.

(O)

Extract of Secret Letter from Bengal, dated 20th March 1778.

Par. 15. On the Receipt of a Letter from the Nabob Mobareck ul Dowla, addressed to the Governor General, in which he remonstrates against the sole Management and Administration of the Affairs of the Nizamut, the Foudarry, and the domestic Concerns of his own Household, being continued in the Person of Mahomed Reza Cawn, as Naib Soubah, after he was of Age to conduct them himself; asserting also his Right to execute these Branches of his own Authority, since he had attained the Age of Maturity both by the Mahomedan and Christian Laws; and desiring that Mahomed Reza Cawn might be removed from the Trust with which he was invested; a Proposition was made for the Consideration of the Board, and delivered to each of the Members, signifying, that their separate Opinions might be delivered on the next Council Day.

2d March.

16. When we assembled again, the Letter from the Nabob was read, with the Proposition upon it; and it was determined, by a Resolution of a Majority of the Members then present, to refer the Application to your Decision.

5 March.

At the next Meeting of the Board, a Motion was made for reconsidering the Subject of our former Debates, as one of the Members to whom the Proposition had been delivered was absent from the preceding Council, and had not given his Sentiments upon it. In consequence of his Opinion, the Resolution of the Day before was rescinded; and as we regarded the Nabob's Claim in the Light of a positive and incontestable Right, which we could not in Justice deny him the Enjoyment of, we resolved to comply with his Demand.

(P)

Extract of the Proceedings of the Governor General and Council, in their Secret Department, the 4th May 1778.

Governor General—I move, That the last Letter, received from the Nabob Mobareck ul Dowla, may be entered in this Place, and that the Board do agree to comply with the Requisitions contained therein; but as it is too late to consider this Question To-day, I desire that it may remain till next Meeting of the Board in this Department; and that in the mean Time the Nabob's Letter be sent to the Members of the Board.

From the Nabob Mobareck ul Dowla.

The Nabob Mahomed Reza Cawn, having been formerly appointed to the Office of Naib Nizam, transacted all the Business of the Nizamut, &c. by his own Authority, in such Manner as he pleased, without consulting or advising with me; and although you have lately given the Administration of the Affairs of the Nizamut Adawlut and Foudarry to me, yet he has not to this Time relinquished the Business, but still continues to act in the Nizamut, &c. as formerly. This is discreditable to me, and of the greatest Disadvantage: I therefore wish to remove the said Nabob from this Business, and to transact the Affairs of the Nizamut, &c. myself; and have made Choice of Sudder ul Hoc Khân, who has been long attached to me, and is a Man of great Integrity and Worth; to fill the Station of the Naib of my Adawlut and Foudarry, and of Rajah Gourdafs, who is a Man of Abilities, and likewise an ancient and zealous Servant, for the Office of the Dewanny of the Nizamut. As I know you to be heartily attached to my Interest, I communicate my Sentiments and Wishes to you, and hope, if you approve them, you will be kindly pleased to dispatch the aforesaid Khân and Rajah to me immediately, that they may receive Khelauts, and be invested with the Offices aforesaid; and I will, with their Advice, make an Adjustment of the Affairs of the Nizamut Foudarry and Adawlut, and transmit it to you for your Information. The Nabob Mahomed Reza Cawn received a Salary of 20,000 Rup^s per Month, or 2,40,000 R^s per Annum; of this Sum, in Consideration of the great Expence of the Munny Begum, who has

Numbers

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Numbers of the Family and Dependants of the deceased Nabob my Father to support, and is under very heavy Charges, I have appointed her a Monthly Stipend of 6,000 Rup^s, or 72,000 per Annum; and as my honoured Mother the Baboo Begum is likewise straitened in the same Manner in her Allowances, I have fixed for her the Sum of 3,000 Rupees per Month, or 36,000 per Annum: The Salary of Sudder ul Hoc Khân I have likewise settled at 6,500 Rupees per Month, or 78,000 per Annum; and that of Rajah Gourda's at 6,000 per Month, or 72,000 per Annum. All these Sums together amount to 2,58,000 Rupees, by which my Income would undergo a Diminution of 18,000 Rupees per Annum; I am therefore hopeful that you will be kindly pleased to grant 1,500 Rupees per Month, which is 18,000 per Annum, on Account of the Salary of Sudder ul Hoc Khân, who formerly held the Branch of the Office of Naib Nizam, exclusive of the Sum of 2,40,000 Rupees, that there may be no Failure in my Income.

(Q)

Extract of the Proceedings of the Governor General and Council, in their Secret Department, the 11th May 1778.

Considered the Governor General's Motion, made at the last Meeting.

Read the Nabob Mobareck ul Dowla's Letter, entered on that Consultation.

Mr. Wheler delivers in his Opinion on this Subject, as follows:

Mr. Wheler—Having already given my Opinion on the Nabob Mobareck ul Dowla's Request to be declared of Age, and on the several Requisitions made by him in his Letter, received 12th February, and recorded in Consultation 23d, and declared for many Reasons, I think, a Question of so much Importance ought to be referred to the Court of Directors for their Decision; it becomes, in a great Measure, unnecessary for me to enter into any further Discussion of the present Question, at least so far as regards the Nabob's Rights as Nizam. But I must confess my Surprise to see a Letter from him produced at this Board, in which he assumes a Right to dispose of the Company's Money to his own Family, and appoints People to Offices whose Conduct may affect the Welfare of all the Inhabitants of these Provinces, and whose Salary is to be paid by the Company; and this without the least Interference on our Part, or advising with this Board, in whom the governing, ordering, and managing the Territorial Revenue, (and consequently the Care and Protection of the Inhabitants of these Provinces) is vested by Law; whether such Persons are fit for the high Trust to which he has appointed them; and whether their Appointment meet with our Approbation.

The 2,40,000 Rupees allowed to Mahomed Reza Khân, and which the Nabob has thus disposed of, is Part of Three Lacks of Rupees per Annum, ordered by the Company for the Support of a political Minister of the Circar; whom they direct shall be recommended by us to the Nabob: And this having already been done in the Person of Mahomed Reza Khân, his Appointment confirmed by the Nabob, and since reported to and approved by the Company, I see no reasonable Ground at present for removing him to substitute other Persons.

Munny Begum and Baboo Begum have already ample Allowances from the Nabob's Stipend, as Part of his Family; and I see no Cause, either from their Circumstances or Situation, that requires our disposing of the Company's Property to them. On the above Grounds, I dissent to the Motion made by the Governor General; viz. "That the Board do agree to comply with the Requisitions contained in the Nabob Mobareck ul Dowla's Letters, now before the Board."

Mr. Francis also delivers in his Opinion as follows:

7th May 1778.

Mr. Francis—By the Governor General's Letters to the Nabob and to Mahomed Reza Khân of the 7th of March, it appears that the latter was dismissed from his several Offices because *the Nabob was arrived at Years of Maturity*; in Consideration of which, the Board resolved to place the Controul of his Household, and of the Courts dependent on the Nizamut and Fouzdarry, *in his own Hands*. He now desires that another Naib may be appointed to execute these Offices; and, so far is he from thinking himself capable of conducting the Business of the Nizamut, that he even desires the Assistance of Raja Gourda's to manage his Household. On this Proposal I shall only observe, that if Naibs are necessary, the Reason for removing Mahomed Reza Khân is groundless, and used only as a Pretence for carrying that Point.

The Nabob is also pleased to recommend, that out of Mahomed Reza Khân's Salary, 72,000 Rupees a Year shall be given to Munny Begum, on account of her great Expences; and 36,000 to his Mother, who is said to be straitened in her Allowances. These Ladies are liberally provided for already: But the Nabob may increase their Allowances if he thinks proper; he has no Right to encrease his Bounty at the Company's Expence.

Not content with distributing the whole of Mahomed Reza Khân's Salary among these Persons, he desires that the Company will add 18,000 Rupees more to it, in order *that there may be no Failure in his own Income*. Whatever may be the Fate of the other Arrangements proposed in this Letter, I hope

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hope the Board will not consent to purchase the Removal of Mahomed Reza Khân with an additional Expence to the Company; as Trustees to the Company we have no discretionary Power to give away their Property.

The proposed Allotment of the Salary itself, without any Addition to it, is liable to a very weighty Objection. By the Company's General Letter of the 28th August 1771, the Annual Sum of Three Lacks, of which the above Salary makes a Part, was expressly appropriated to the Support of a Minister, who should be appointed to transact the Political Affairs at the Sircar. It is the Salary which the Company intended for the Minister of the Country Government: It is the Company's Property, and the Nabob has nothing to do with it. When they hear it is no longer applied to the Use for which it was granted, they will naturally conclude that it has been made a Saving in their Treasury. They will never think it possible, until Advice of the Resolution of this Day shall reach them, that the Salary which they granted and appropriated to the Support of a Minister of the Government, should be taken from a Man whose Appointment to that Station they had expressly approved of, and divided between Two old Women, an old Man whom they never heard of, and the Son of Nund-comar.

I hope these Considerations will have Weight with the Board. If not, I have done my Duty, and am satisfied the Company will think so. (Signed) Philip Francis.

Mr. Barwell—I assent to the Governor General's Motion.

Resolved, That the Nabob's Requisitions, which are as follow, be complied with:

That Sudder-ul-huck-Cawn, and Rajah Gourda's be directed to repair to Moorshedabad, to receive Charge of the Offices intended for them by the Nabob Mobareck ul Dowla, and to be invested with Khelauts on the Occasion of their Appointment.

That Sudder-ul-huck-Cawn be allowed 6,500 per Menssem, or 78,000 per Annum, out of the Salary of 2,40,000 per Annum, lately annexed to the Station of Naib Soubah. That Rajah Gourda's be allowed 6,000 Rupees per Menssem, or 72,000 Rupees per Annum, from the same Fund: That an Allowance of 6,000 Rupees per Menssem, or 72,000 per Annum, be made to Munny Begum from the same Fund, for the Support of her Expences: That an Allowance of 3,000 Rupees per Menssem, or 36,000 Rupees per Annum, be also made to the Nabob's Mother, the Baboo Begum, from the same Fund:—But as this Fund will be insufficient to defray all the above Charges,

Resolved, That 1,500 Rupees per Menssem, or 18,000 Rupees per Annum, be added thereto.

Ordered, That these Resolutions be notified to the Chief and Council at Moorshedabad, and to the Resident at the Durbar, and that the Governor General be requested to reply accordingly to the Nabob's Letter.

The following Letters are accordingly written to the Resident at the Durbar, and to the Chief and Council at Moorshedabad:

To William Byam Martin, Esquire.

Sir,

WE enclose for your Information Copy of a Letter which we have received from the Nabob Mobareck ul Dowla, of which we thought proper, in Consultation the 5th March, last to comply with.

The Nabob having proposed to us sundry Regulations, consequent to the Removal of Mahomed Reza Cawn from the Office of Naib Soubah, we also enclose a Copy of this Letter, and of our Resolutions upon it of this Day: In Conformity to which we direct that you apply for the Annual Sum of 2,58,000 Rupees from the Chief and Council at Moorshedabad, in lieu of the Salary lately paid to Mahomed Reza Cawn; and issue the same in the Proportions allotted to the different Persons mentioned by the Nabob.

Fort William,
11th May 1778.

We are, &c. &c.

To Moorshedabad.

Gentlemen,

We enclose for your Information Copy of a Letter addressed to the Governor General by the Nabob Mobareck ul Dowla, which we thought proper in Consultation the 5th March last, to comply with.

The Nabob having proposed to us sundry Arrangements consequent to the Removal of Mahomed Reza Cawn from the Station of Naib Soubah, we enclose a Copy of his Letter on this Subject, and our Resolutions upon it.

We direct, that in Conformity to them you issue to the Resident at the Durbar the Annual Sum of 2,58,000 R^s, in lieu of the Salary lately annexed to the Office of Mahomed Reza Cawn, which is to cease from the Receipt hereof, when the other is to commence.

We are, &c. &c.

Fort William,
11th May 1778.

A P P E N D I X, N° 6. (R) (S) (T)

(R)

Extract of Letter from the Governor General and Council, in their Secret Department, to the Court of Directors; dated 25th May 1778.

Par. 12. The Nabob Mobareck ul Dowla has proposed an Arrangement for conducting the Business of the Nizamut and Fouzdarry, to which we have given our Concurrence. We beg Leave to refer you to the Consultations for the Particulars of his Requisitions, and our Opinions upon them; remarking only in this Place, that they are in Substance as follow: 4th May.
11th May.

Sudder ul Huck Cawn is appointed Naib of the Adawlut and Fouzdarry Departments, with a Salary of Rupees Seventy-eight thousand per Annum: Raja Gourdas is stationed in the Office of Naib of the Nizamut, with a Salary of Rupees Seventy-two thousand per Annum: The Allowances of Munny Begum, for the Support of the Family of the late Nabob Jaffier Ally Cawn, are increased by the Addition of Seventy-two thousand Rupees per Annum; and those of Baboo Begum by the Sum of Thirty-six thousand Rupees per Annum.

13. As these Disbursements exceed the Amount of the Salary lately allowed to Mahomed Reza Cawn, by the Sum of Eighteen thousand Rupees a Year, we have ordered that Difference to be granted for the Purposes to which the Nabob has been pleased to propose the Application of it.

(S)

From the Nabob Mobareck ul Dowla: Received 25th August.

The Excellency of that Policy by which her Highness the Begum (may her Shadow be far extended!) formerly, during the Time of her Administration, transacted the Affairs of the Nizamut in the very best and most advantageous Manner, was, by Means of the Delusions of Enemies, disguised under the Appearance of Friends, hidden from me. Having lately seriously reflected on my own Affairs, I am convinced that it was the Effect of maternal Affection, was highly proper and for my Interest; and that except the said Begum is again invested with the Administration, the Regulation and Prosperity of this Family, which is in Fact her own, cannot be effected: For this Cause, from the Time of her Suspension till now, I have passed my Time, and do so still, in great Trouble and Uneasiness. As all Affairs, and particularly the Happiness and Prosperity of this Family, depend on your Pleasure, I now trouble you, in Hopes that you likewise concurring in this Point, will be so kind as to write in fit and proper Terms to her Highness the Begum, that she will always, as formerly, employ her Authority in the Administration of the Nizamut and the Affairs of this Family: This will be productive of the greatest Benefit, and will confer the highest Obligation on me.

(T)

From the Nabob Mobareck ul Dowla: Received 30th August 1777.

Knowing it for my Interest and Advantage that the Administration of the Affairs of the Nizamut should be restored to her Highness the Munny Begum, I have already troubled you with my Request, that regarding my Situation with an Eye of Favour, you will approve of this Measure.

I am credibly informed that some one of my Enemies, from selfish Views, has, for the Purpose of oversetting this Measure, written you that the said Begum procured from me, by Artifice, the Letter I wrote you on this Subject: This causes me the greatest Astonishment. Please to consider, that Artifice and Delusion are confined to Cheats and Impostors, and can never proceed from a Person of such exalted Rank, who is the Head and Patron of all the Family of the deceased Nabob my Father; and that to be deluded, being a Proof of Weakness and Folly, can have no Relation to me, except the Inventor of this Report considers me as void of Understanding, and has represented me to the Gentlemen as a Blockhead and an Idiot. God knows how harshly such Expressions appear to me; but as the Truth or Falshood has not yet been fully ascertained, I have therefore suspended my Demand of Satisfaction: Should it be true, be so kind as to inform me of it, that the Person may be made to answer for it. At all Events it is the Duty of Friendship and Wisdom to disregard the Representations of my slanderous Enemies, and to write very fully and expressly to the Begum, that she always, as formerly, conduct, by her own Authority, the Affairs of the Nizamut, which is in Fact her Family.

A P P E N D I X, N^o 6. (V) (U) (W)

(V)

From the Nabob Mobareck ul Dowla: Received 3d September.

Knowing it both for my own Interest and that of all the Connections of the deceased Nabob, as well as for the Prosperity of my Family, that the Munny Begum should be placed at the Head of the Nizamut, I have already repeatedly addressed myself to you for your Approbation of this Measure: In what Light, except Unkindness, can I consider your total Inattention thereto?

Do me the Justice to reflect, that this Measure is calculated entirely for the Promotion of my Interest; and no possible Disadvantage can accrue therefrom to the Company, to induce you to oppose or disapprove of it. With what Justice therefore can you refuse your Compliance with this Measure, and leave the Administration of the Affairs of the Nizamut in the Hands of a Stranger, with whom I am much discontented, instead of placing it in the Hands of the Begum; who is the Head and Patroness of my Family? I hope that, turning your Attention to my Happiness, you will be so kind as to give your speedy Consent to this Measure, and write to the Begum that she take on herself the sole Administration of all the Affairs of the Nizamut, which are in Fact her own, as long as I continue on the Musnud.

(U)

From the Nabob Mobareck ul Dowla: Received 17th November 1777.

I have already repeatedly written you, that I can on no Account be satisfied that the Administration of the Nizamut Affairs should be vested in Mozuffur Jung, whilst her Highness the Munny Begum, who is the Head and Patroness of the Family of my deceased Father, is living; yet you have nevertheless neglected to pay Attention to my Situation, and have left my Family under the Management of the aforesaid Person; which is not only dishonourable and disgraceful to me, but highly detrimental to my Affairs.

For Instance, Mozuffur Jung has lately told every Body, in a Strain of Irony, "Let him (meaning me) first secure the Point concerning which he has written Letters to the Governor, and then take on himself the Administration of the Affairs of the Nizamut; but till this happens the Power is in my Hands."

Reflect, my Patron, how great Uneasiness such Speeches must occasion to me. Before this, he has also frequently made use of Expressions in the highest Degree insufferable, which I have informed you of; but I am at a Loss to conceive on what Principles of Justice you consent to my Dishonour and Detriment, in an Affair wherein your Compliance with my Desire could not be in the least Degree hurtful to the Company, and would be of Advantage to me, and prefer the Satisfaction of Mozuffur Jung.

I am hopeful you will not keep me longer in this painful Suspence, but will be kindly pleased to write immediately to the Munny Begum, that she take on herself the Administration of the Affairs of the Nizamut, which is in Fact her own Family, without the Interference of any other Person whatever: By this you will give me complete Satisfaction.

(W)

To the Nabob Mobareck ul Dowla: Written 7th March 1778.

I have received your Letter, containing your Desire to take on yourself the Management of your own Affairs; which having been laid before the Board for their Consideration, it has been agreed, your Excellency being now arrived at Years of Maturity, that in future the Controul of your own Household, of the Courts dependent on the Nizamut and Foujedarry, be placed in your Hands. Intimation of this Resolution has been transmitted to Mahomed Reza Khân, who will accordingly resign his Authority to you. But as an immediate Change might be attended with dangerous Consequences to the Peace and good Order of the Country, I request that you will permit all the present Judges and Officers of the Nizamut and Foujedarry Adawluts, and of the Foujedarry, to continue in Office until you shall have formed a Plan for a new Arrangement of those Offices; which, when finished, I request your Excellency will send to me for my Information, and allow me to offer my Sentiments upon it before it be carried into Execution.

(X) To

A P P E N D I X, N^o 6. (X) (Y) (Z) (A a)

(X)

To Mahomed Reza Khân : Written 7th March 1778.

It having been resolved by the Board, in consequence of repeated Applications from the Nabob Mobareck ul Dowla, and Consideration of his being arrived at Years of Maturity, to place the Controul of his Household, and of the Courts dependent on the Nizamut, and of the Foujedarry, in his own Hands, you will be pleased to resign your Authority to him.

The Nabob will of course continue you and all the present Judges and Officers of the Nizamut and Foujedarry Adawluts, and of the Foujedarry, in your respective Offices, until a new Arrangement of those Offices is formed; and you will continue to attend to the Duties of your Station as formerly.

(Y)

To Munny Begum : Written 7th March 1778.

Informing her of the Resolution of the Board contained in the above Letters:

(Z)

To the Nabob Mobareck ul Dowla : Written 17th March.

As the Management and Controul of the Business of the Nizamut and Foujedarry is now vested in your Highness, Mr Martin, who has resided on the Part of the Company at the Durbar, will attend your Highness in this Capacity, I request that your Highness will consider him my Representative, and confer with him, without Reserve, on such Circumstances as may occur; and that you will commit to him such Matters as your Highness may not have Occasion to write yourself, that he may in part them to me. This Gentleman possesses my Friendship, and I hope he will enjoy, as he deserves, yours.

(A a)

Extract of General Letter to Bengal ; dated 4th February 1779.

Par. 8. We by no Means approve your late Proceedings on the Application of the Nabob Mobareck ul Dowla, for the Removal of the Naib Soubadar. The Requisition of Mobareck ul Dowla was improper and unfriendly; because he must have known, that the late Appointment of Mahomed Reza Khan to the Office of Naib Soubadar, had been marked with the Company's special Approbation; and that the Court of Directors *had assured him of their Favour, so long as a firm Attachment to the Company's Interest, and a proper Discharge of the Duties of his Station, should render him worthy of their Protection.* We therefore repeat our Declaration, that to require the Dismission of a Prime Minister thus circumstanced, without producing the smallest Proof of his Infidelity to the Company, or venturing to charge him with one Instance of Mal-administration in the Discharge of his Public Duty, was improper, and inconsistent with the Friendship subsisting between the Nabob of Bengal and the Company.

9. Admitting the Nabob's Complaint, that Mahomed Rezah Khân is not connected with him by relative Ties, to be well founded, it by no Means follows, that he has been deficient in Duty or sincere Attachment to him, or that his Power is oppressive and dishonourable to the Nabob and his Family; nor can Assertions of this Nature, unattended by Proof, have any Weight with us.

10. In regard to the Nabob's Claim, to take Charge of his own Affairs merely because he is of Age, and thinks himself capable of conducting them; we find it declared by one of your Members, and not contradicted, that he knew with Certainty, that the Nabob is in his own Person utterly incapable of executing any of those Offices which were deemed of essential Importance to the Welfare of the Country; and we are sorry to find, that neither this Declaration, nor the Protests of Two Members of the Council, seem to have been thought worthy of an Answer, or even of Consideration, by the Majority of the Board.

A P P E N D I X, N^o 6. (A a)

11. The Nabob hopes, from your Favour and Regard to *Justice*, to be delivered from the Authority of Mahomed Reza Khân; he ventures to declare the Company solely indebted to the warm Support of his *Ancestors*, for their present Greatness and Advantages: He claims the Management and Administration of the Soubahdarrie as his Right; and says, it will be highly inequitable in the Company to refuse their Approbation to his Request.

12. We pass over these extraordinary Suggestions of the Nabob without Reply; only observing, that in Justice to him and ourselves, we must take the best Care in our Power of the Peace and internal good Government of the Country; and we are not disposed to hazard the Effects which might be occasioned, by committing the entire Management thereof to his Inexperience, without enjoining him to accept such Assistance, and to employ such Ministers about his Person, as may be deemed necessary on the Part of the East India Company.

13. The 23d February we find that the Nabob's Letter, and a Question thereon, were circulated to the different Members of the Board, for their Opinions, to be taken at the next Meeting of Council; which Meeting happened on the 2d of March; but one of the Members being indisposed, did not attend at the Board.

14. We have carefully noticed your Debates on the Subject. The Resolution of Council of *that Day*, *that the Nabob's Letters should be referred to the Decision of the Court of Directors, and that no Resolution should be taken in Bengal on his Requisitions, without our special Orders and Instructions*, appears to us very proper; we must therefore express our Disapprobation on finding the said Resolution rescinded, on the frivolous Pleas urged by the Majority of the Board, Three Days afterwards.

15. If the Absence of a Member of Council were sufficient to preclude the Discussion of any Subject, which might have been referred for Consideration by a former Board, or to invalidate Resolutions taken during such Absence, it would be in the Power of any Member effectually to defeat the Ends proposed by the Institution of a Council, and to put a total Stop to Public Business, whenever he thinks proper. We shall not waste Time in refuting Claims of Privilege advanced on this Occasion, because they appear to us unworthy of Consideration, and beneath all Argument.

16. The Nabob having intimated that he had *repeatedly* stated the Trouble and Uneasiness which he had suffered from the Naibship of the Nizamut being vested in Mahomed Reza Khan, we observe one of the Members of your Board desired the Nabob's *repeated* Letters on the Subject might be read; but this reasonable Request was overruled, on a Plea of saving the Board's Time; which we can by no Means admit as a sufficient Objection.

17. The Nabob's Letters of the 25th and 30th of August, of the 3d of September, and 17th of November, leave us no Doubt of the true Design of this extraordinary Business being to bring forward Munny Begum, and again to invest her with improper Power and Influence; notwithstanding our former Declaration, that so great a Part of the Nabob's Allowance had been embezzled or misapplied under her Superintendance.

18. Instead of your declaring, that the Nabob's Demands were grounded on positive Rights which will not admit of Discussion, that the Nizamut is his Inheritance, that the Dependants of the Nizamut Adawlut and Foujedarry appertain to that Inheritance; that, as he is pleased to demand and assert the positive *Rights* of his Office, as Nizam of the Provinces, there is no Ground for denying his Request; and that a Reference to the Company would be an Evasion unbecoming the Honour of Government;—the Nabob might have been reminded, that a Naib Soubadar was appointed, and the Office continued without Interruption or Objection, during the Government of his Ancestors, who must have been supposed more capable of governing the Provinces than a Youth of 20 Years of Age.

19. You have requested this unexperienced young Man to *permit* all the present Judges and Officers of the Nizamut and Foujedarry Adawluts, or Courts of Criminal Justice, and also all the Foujedarries or Officers appointed to guard the Peace of the Country, to continue in Office until *be the Nabob* shall have formed a Plan for a new Arrangement of those Officers: And it is with equal Surprise and Concern, that we observe this Request introduced, and the Nabob's ostensible Rights so solemnly asserted at this Period, by our Governor General, because on a late Occasion, to serve a very different Purpose, he has not scrupled to declare it as *visible as the Light of the Sun*, *that the Nabob is a mere Pageant, and without even the Shadow of Authority*. No Circumstance has happened since that Declaration was made, to render the Nabob more independant, nor to give him any additional Degree of Power or Consequence: You must therefore have been well apprized that your late Concessions to Mobareck ul Dowla were unnecessary, and as such unwarrantable.

20. As we deem it for the Welfare of the Country, that the Office of Naib Soubadar be for the present continued, and that this high Office should be filled by a Person of Wisdom, Experience, and of approved Fidelity to the Company, and as we have no Reason to alter the Opinion given of Mahomed Reza Khan, in our Letter of the 24th of December 1776, we positively direct that you forthwith signify to the Nabob Mobareck ul Dowla our Pleasure, that Mahomed Reza Khan be immediately restored to the Office of Naib Soubadar; and we further direct, that Mahomed Reza Khan be again assured of the Continuance of our Favour, so long as a firm Attachment to the Interest of the Company, and a proper Discharge of the Duties of his Station, shall render him worthy of our Protection.

A P P E N D I X, N° 6. (B a) (C a)

(B a)

Extract of General Letter to Bengal, dated 27th May 1779.

Par. 31. In the 20th Paragraph of our Letter of the 4th February 1779, we ordered, that Mahomed Reza Khan should be immediately restored to the Office of Naib Soubadar; and it is our Pleasure, that the Allowance enjoyed by Mahomed Reza Khan at the Time of his late Removal from his Office, be continued and paid to him from the Day of the Arrival of our said Order of the 4th of February 1779.

36. In the 17th Paragraph of our Letter of the 4th of February 1779, we signified our Apprehension, that the Removal of Mahomed Reza Khan was intended in order to bring forward Munny Begum; the Event has justified the Supposition; but having ordered Mahomed Reza Khan to be restored, and his Salary to commence on the Day of the Arrival of our Letter of the 4th February at Fort William, we now direct, and it is our positive Order, that the Salary of 78,000 Rupees per Annum granted by you to Sudder Ul Huck Khan, of 72,000 R^s per Annum granted to Rajah Gourda's as Naib of the Nizamut, and the Increase or additional Amount of 72,000 R^s per Annum granted to Munny Begum, also of 36,000 Rupees per Annum added to the Allowance of Baboo Begum, be entirely struck off and discontinued from the Day of the Arrival of our said Letter of the 4th February 1779; and that you do not, on any Account or Pretence whatever, make any additional Allowances or Payments to any of the above Persons, or to any Person or Persons to be employed in the Nabob's Household or about his Person, or to transact the Affairs of his Excellency, contrary to the Letter and Spirit of these our Instructions.

(C a)

Extract of the Proceedings of the Governor General and Council, in their Public Department, 22d November 1779.

Read again the General Letters from the Honourable the Court of Directors, received at the last Meeting.

Ordered, That the Paragraphs be distributed in the following Manner:

Par. 8 to 20. Respecting the Nabob Mobareck ul Dowla and Mahomed Reza Cawn.

Mr. Francis—I move, that the Company's Orders for the immediate Re-instatement of Mahomed Reza Cawn in the Office he held in January 1778, be carried into Execution; and that a Copy of the last Paragraph of the Company's Letter of the 4th February 1779, together with an exact Persian Translation thereof, be transmitted to the Nabob Mobareck ul Dowla and to Mahomed Reza Cawn, with a Requisition on the Part of the Governor General and Council to the Nabob, to conform to the Injunctions of the Court of Directors expressed in that Paragraph. This Motion, of course, supposes that the Governor General shall be requested to signify the Resolution of the Board on this Subject, in the usual Manner, by Letter to the Nabob.

Mr. Wheler—I agree to the Motion.

Governor General—I must beg Leave to decline an immediate Answer to the Motion, which I will deliver at our next Meeting, which it has been agreed shall be held To-morrow Morning.

Mr. Francis—I must beg that a formal Resolution on the Motion may be taken now. It could not be unexpected, and the more so as I particularly requested Mr. Barwell to stay; I cannot therefore be suspected of Want of Candour in pressing for the Resolution now: I come determined to agitate it.

Governor General—Since Mr. Francis, taking an Advantage of the Absence of one of the Members, has insisted on an immediate Decision of the Question, I am compelled to give my Affirmative or Negative to it; I have declared that I am not come prepared to deliver my Opinion upon a Subject of so much Delicacy, and involving so many Consequences. I should have been glad to have been allowed some Time to consider the Nature and Tendency of the Order, and to have accommodated the Execution of it to all the Circumstances which ought to be taken into Consideration in the Determination upon it. The Time that I have required is but the short Interval between this Hour of Three in the Afternoon and the Hour of Ten To-morrow Morning; however, as the Privilege is now denied me, I shall in this Place, and at this Time, simply content myself with delivering my Negative to the Motion, in the Terms in which it is made.

Mr. Francis—I could have no Idea of availing myself of Mr. Barwell's Absence; every Gentleman at the Board, I believe, heard me solicit him to stay; much less could I have a View of surprising the Governor General on a Subject on which he might be unprepared. The Company's Letter was received on Saturday the 13th Instant, though it has happened that I myself did not see it till Friday last.

Resolved that the Company's Orders for the immediate Re-instatement of Mahomed Reza Cawn,

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in the Offices he held in January 1778, be carried into Execution; and that a Copy of the last Paragraph of the Company's Letter of the 4th February 1779, together with an exact Persian Translation thereof, be transmitted to the Nabob Mobareck ul Dowla and to Mahomed Reza Cawn, with a Requisition on the Part of the Governor General and Council to the Nabob, to conform to the Injunctions of the Court of Directors expressed in that Paragraph.

(D a)

Extract of the Proceedings of the Governor General and Council, in their Public Department, the 23d November 1779.

The Governor General moves, That the 8th, &c. to 20th Paragraphs of the General Letter by the General Barker, dated 4th February 1779, with Mr. Francis's Motion, and the Resolution of the Board thereon, be again read.

Read the said Paragraphs, Motion, and Resolution.

The Governor General moves, That the Opinions of the Members of the Board be taken, whether the above Resolution shall be approved?

Mr. Wheler—I should be glad to ask the Governor General, Whether he makes this Motion upon the Principles of confirming the Minutes of the former Council, or on Account of the Absence of Mr. Barwell at the Time this Question was debated.

Governor General—I have put the Question conformably to the Constitutional and actually existing Rule of this Government, that all Acts and Orders passed at any Meeting of the Board, shall be approved in the succeeding Council to give them their Sanction; and I avail myself of this Right on Account of the Advantage which was Yesterday taken of Mr. Barwell's Absence.

Mr. Wheler—I am very sorry to be under the Necessity of observing, that although I have had the Honour of sitting at this Board near Two Years, it is, to the best of my Recollection, the very first Instance that the Order necessary to give a Sanction to our Proceedings, as described by the Governor General, has been complied with; and in the Sense I believe it is now meant, I see no Occasion for the present Question, and therefore am against it.

Governor General—It is not necessary that this Form should be observed in every Instance. It is always supposed, when the Members of the Board tacitly agree to the Omission of it, the formular Preface of every Consultation being sufficient to imply it.

Mr. Wheler—The Minutes of every Board or Public Assembly that I have had the Honour to attend, are constantly read at a subsequent Meeting of such Board or Assembly, in order that each Member may be fully satisfied that what he has said, or entered upon the Records of the former Meeting, is faithfully represented and transcribed; but I know not a single Instance when the Minutes of any Board or Assembly have been read at a subsequent Meeting, with a View to overfet the Resolution of a former Meeting: If that was admitted in numerous Assemblies, no Question could ever be finally decided. The Objection, in my Opinion of it, is so meant, holds equally strong, and I am convinced will be treated with equal Disgust by our Superiors, as they have already treated an Act not very dissimilar to this.

Mr. Francis—The Resolution taken Yesterday was legal and compleat: It wants no Confirmation, though it may be reversed. The official Form observed in the Proceedings of the former Government, and continued under ours, is merely a Form; and so little is it ever regarded, that the Orders of one Council are constantly executed, if the Time permits, before the Meeting of the next. Mr. Wheler has assigned the true and only Reason for the Observance of such a Form. Whatever Use or Convenience there may be in continuing to observe it against a positive Provision of an Act of Parliament, made since the Form in question was first instituted, and which of course supercedes it, if in Reality it had ever had the Effect and Operation which the Governor General now attributes to it, the Law says, "That in all Cases whatsoever wherein any Difference of Opinion shall arise upon any Question proposed in any Consultation, the said Governor General and Council shall be bound and concluded by the Opinion and Decision of the major Part of those present." The Conclusion by which the Council is bound, is instant and absolute; there is no Reference to the Confirmation of a subsequent Meeting. I am sorry the Governor General should repeat an Objection already, as I think, completely answered: I am not to blame if Mr. Barwell, notwithstanding my urgent Request to the contrary, left the Board Yesterday at an early Hour: I should have been much better pleased that he had staid; because I should then have the Labour of One Debate only, instead of Two. On this Part of the Subject I need say nothing more, since the Court of Directors themselves have taken it up in a similar Instance, and given their Opinion decidedly upon it, in the 15th Paragraph of the Letter now before us. I am against the Question.

Mr. Barwell—Had the Resolution simply gone to the Execution of the Company's Order, from the Sentiments delivered by the Governor General at the last Meeting, the present Question would not have been agitated; his Objections to Mr. Francis's Motion strike me as confined to the Mode that Motion prescribes for carrying these Orders into Execution. Mr. Francis's Motion, in my Opinion, conveys such Sentiments as are not authorized by the Company's Letter. In the Body of the Motion

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tion I find these Words; "With the Requisition of the Governor General and Council to the Nabob "to conform to the Injunctions of the Court of Directors." I know of no Injunctions that the Company have laid on the Nabob; and I imagine the Use of any offensive Terms, or improper Management, on a Subject of so delicate a Nature, would be highly reprehensible; I therefore vote for rescinding the Resolution of the last Council, so far as regards the Mode of executing the Orders of the Company, but no farther; I agree to the Motion, that the Order be executed, but am for leaving the Manner of doing it to the Discretion of the Governor General. From nothing that the Governor General has urged in the Course of the Debate of Yesterday, do I perceive the least Disposition in him to decline the Instructions which the Company have been pleased to give, relative to the Naib Souba.

Governor General—With all the Respect and Submission which I owe and feel for the Authority of the Court of Directors, I must declare, that I shall not yield even to that Authority in any Instance in which it shall require my Concession of the Rights which I hold under an Act of Parliament. Those Rights are formal Obligations, with which I am not permitted to dispense; neither can I optionally relinquish my own Claim to a Practice which was followed by Mr. Francis himself, when he formed one of a Majority of the Council, and which received the Approbation of the Court of Directors themselves. I acknowledge the Obligation which I owe to Mr. Francis, for the Trouble he has taken in helping me to One Instance, in Consultation 14th September 1775, in which a Resolution passed at the preceding Consultation, which was contrary to the Sense and general Tenor of the Measures proposed by the ruling Members of the Board, was rescinded by a Motion introduced by the following Motion, formally made by myself; viz. "The Governor General moves, that the Subject be re-considered; and that the Opinion of the Board be taken, whether the Orders written to "the Commanding Officer of the 2d Brigade, shall be confirmed or repealed."

If this Mode is illegal or irregular, it was equally so at that Time; but Mr. Francis then made no Objection to it; but in the Opinion delivered upon my Motion, simply said, he thought the Order should be repealed. I recollect that similar Motions were made, either by Mr. Francis or by the other Members of the Majority in concert with him, for reading and confirming the Proceedings held by them during the Absence of Mr. Barwell and myself, both in this and in the Revenue Department; I will not take up the Time of the Board in looking out for the Instances, but shall desire the Secretary to annex them to this Minute. The evident Intent of these Motions was to authenticate all the Acts which were considered by the Members of the Majority as the legal Acts of the Board, but disputed and disavowed by Mr. Barwell and myself, and by obtaining such a formal Approbation of them, to remove the Objections which had been made, or which might be, against their Validity. Respecting the Question now before the Board, I disapprove of the Resolution as not being warranted by the Orders of the Court of Directors, and I think it would be disingenuous and unjust in this Board, to exceed the positive Orders of the Company, in annulling a Concession made by them to the Nabob and acknowledged as his Due.

Instances quoted in the foregoing Minute.

Revenue Department Proceedings, 17th and 21st March, and 1st April, 1775.

Mr. Francis—The Governor General has very fully proved a Proposition, which has never been disputed, That a Resolution taken at one Board may be reversed at the next: I must have lost my Memory and my Senses if I had denied it. I do not make Profession of such extraordinary Candour as to furnish an Opponent with Arguments against myself. In pointing out to the Governor General the Consultation the 14th September 1775, I meant to give him an Instance in Point, which I thought established a Conclusion directly the Reverse of that which he has drawn from it. The Court of Directors will find, in the Proceedings of that Day, that I entered a Dissent and Protest against a Resolution taken at the preceding Council, but that I neither disputed its Validity, nor proposed to reverse, or even to re-consider it: The Proposition for that Purpose came from the Governor General himself, and was strictly regular and legal. It would have been in Point to prove, that in the Case in question I insisted that the Resolution of the preceding Day wanted the Confirmation of the next, and that on that Ground I had proposed to re-consider it: With respect to the present Question, the Instance proves nothing. In the other Examples quoted by the Governor General, and which I perfectly remember, the Fact was this: The Legality of the separate Meetings held by General Clavering, Colonel Monson, and myself, was itself expressly and formally denied; that Reason alone, I presume, induced General Clavering to propose to Colonel Monson and myself, to agree, that the Resolutions taken in such separate Meetings should be confirmed at the next full Meeting of the Board; whether such Confirmation was necessary or not, the Example does not support the Governor General's Argument. The Question now is, Whether Acts done at a Meeting of the Board, confessedly regular and legal, require any subsequent Confirmation? not, whether such Meeting itself was or was not legal? But setting aside this Sort of Argument, no Precedents prove any thing against a positive Right, especially when that Right itself is not in Issue: We may go on for any Length of Time, by Negligence or Argument, in following Forms which nobody regards. The Question is not fairly in Issue, until they are formally insisted upon and denied, and some important Use attempted to be made of them. If the Motion I made Yesterday did not correspond with the Governor General's Idea of the Sense of the Company's Orders, I should have held myself indebted

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to him for any Amendment he might have thought fit to propose, and assuredly I should have given it the most respectful Attention. The profound Silence he observed made it impossible for one to judge whether his Objections went to the Whole of the Motion, to any Part of it, or merely to the Form proposed of carrying the Company's Orders into Execution.

Governor General—Whatever Doubts were entertained of the Legality of the Acts done by a Part of the Board after my Declaration of the Dissolution of the actual Meeting, these Doubts were not entertained by Mr. Francis, who declared the Acts to be legal; therefore, with respect to them, the subsequent Motion and Order, to read and approve these Proceedings, could not be construed as intended to give them that Legality which they wanted, though they might be covertly so intended, by the Application of an ancient constitutional Form to that Effect. But I will here close my Part of the Argument, since I perceive that we dispute only on Words. Mr. Francis admitting that a Resolution taken at one Board may be revoked at the next, I offer to his Option the Motion which I have already made, or the Motion which I now make, *That the former Resolution be reversed*; and here declare my Opinion for revising the former Resolution: Mr. Barwell has already done it in Terms. I confess that in this Proposal I am irregular, but I had rather incur that Imputation than suffer the Time of the Board to be any longer wasted by a fruitless and a verbal Debate.

In this Place I shall beg Leave to contrast my own Conduct with Mr. Francis's; that since I have been a Member of this, or any other Government, I have never, in One single Instance, if I may trust to my own Memory and the fullest Conviction of what I assert, descended to a Practice which I should have held unworthy of my own Principles, of which I have had too frequent Occasion to complain in Mr. Francis, by taking the Advantage of an occasional and accidental Majority, to carry any Measure contrary to the Sense of the ruling Members: Even in the First Instance which I have quoted, introduced a Question for the Sake of giving Consistency to the Orders of the Board, although it was productive and intended of the Repeal of a Resolution of the Board, which had received my Concurrence at the former Meeting of it.

Mr. Francis—I object to both the Motions, though for different Reasons: I object to reversing the Resolution, because I deem it a most unwarrantable Exercise of a Power, the Existence of which I am obliged to admit; no specific Reason is yet assigned for it. To the latter Part of the Governor General's last Minute, I shall only say, that I hope I shall not always suffer in a Comparison between his Principles of Action and mine, if he has had too frequent Reason to complain of my taking Advantage of accidental Majorities. The Word "frequent" must refer to more Instances than Two. It will rest with him to produce more Instances, if there are any; I myself know of none in which he has lost any Question by Mr. Barwell's Absence, but that at present before us, and the former one of the 2d March 1778, on the same Subject.

The Resolution which the Governor General proposed to have re-considered on the 14th September 1775, interrupted a Series of Measures formed upon a different Principle. I think he did right in proposing to re-consider it. This is a single Act, which has no Connection with any thing else.

Resolved, That the Resolution of Yesterday, viz. "That the Company's Orders for the immediate Re-instatement of Mahomed Reza Cawn in the Offices he held in January 1778, be carried into Execution; and that a Copy of the last Paragraph of the Company's Letter of the 4th February 1779, together with an exact Persian Translation thereof, be transmitted to the Nabob Mobareck ul Dowla and to Mahomed Reza Cawn, with a Requisition, on the Part of the Governor General and Council to the Nabob, to conform to the Injunctions of the Court of Directors, expressed in that Paragraph," be reversed.

The Governor General moves, That the Pleasure of the Court of Directors, signified in the 20th Paragraph of the General Letter of the 4th February last, and the Assurance therein directed to be given to Mahomed Reza Cawn, be communicated to the Nabob Mobareck ul Dowla and to Mahomed Reza Cawn, in the Words of the General Letter.

Mr. Francis—I have no Objection to the Motion, as far as it goes; but if the Communication of the Company's Intentions be not accompanied by a formal Requisition from this Government, it is not impossible that they may be defeated. I therefore move the following Addition to the Motion, That the Governor General be requested to signify to the Nabob Mobareck ul Dowla, in the usual Form, the Requisition of the Governor General and Council for his immediate Compliance with the Pleasure of the Court of Directors.

Mr. Wheler—I agree to the Motion, and likewise to the Amendment.

Mr. Barwell—I agree to the Motion. I cannot be a Judge of the Terms that Mr. Francis would have used in the Letter proposed to be written by the Governor General to the Nabob, from the general Terms in which his Amendment is expressed. The Governor General can have no Objection to submit the Terms in which he makes the Communication of the Company's Sentiments to the Nabob and Mahomed Reza Cawn to the Board, before the Letters shall be sent. If those are at all defective, such Additions may be proposed to them as in the Judgments of any of the Members may appear necessary. I think Mr. Francis is premature in following the Governor General's Motion with another: It seems to speak some Pre-knowledge of the Difficulties to which our Government is subjected, and that no small Degree of Coercion must necessarily support the Recommendation of the Company. I give my Vote simply for the Governor General's Motion; reserving my Opinion for any Amendments that may be offered to the Letters proposed to be written, when such

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such are offered in precise Terms, as essential to answer the Intentions of the Company, and consistent with those Intentions.

Governor General—I agree to the Motion : I object to the Amendment. My Reasons have been assigned in the preceding Minutes ; I will not therefore repeat them.

Mr. Francis—The Motion is confined to a bare Communication of the Company's Orders : How it may operate I do not know ; but as this Government is the Medium through which the Company's Orders are carried into Execution, it seems to me unusual at least to leave them in this single Instance to execute themselves. As for the rest, I have no Distrust of the Nabob, and hope he will comply.

Resolved, That the Pleasure of the Court of Directors, signified in the 20th Paragraph of their General Letter, dated the 4th February last, and the Assurance therein directed to be given to Mahomed Reza Cawn, be communicated to the Nabob Mobareck ul Dowla and to Mahomed Reza Cawn, in the Words of the General Letter.

(E a)

Fort William, 15th December 1779.

Public Department.

At a Council ; P R E S E N T,
The Honourable Warren Hastings, Esquire, Governor General, President,
Richard Barwell, }
Philip Francis, } Esquires.
Edward Wheler, }

Read the following Letters from the Nabob Mobareck ul Dowla and from Mahomed Reza Khan :

From the Nabob Mobareck ul Dowla, inclosed in a Letter from the Resident at the Durbar ; dated the 10th, and received the 12th of December.

I have been favoured with your friendly Letter, under Date the 21st of Jehadar.

You write, that a Letter has lately been received from the Court of Directors, expressing their Pleasure that the Nabob Mahomed Reza Khan be restored to the Office of Naib Soubah. My Patron ! When the aforesaid Nabob was just appointed to the Naib Soubahship, it was entirely on this Account ; that, by Reason of my tender Age, I could not transact my own Affairs in Person, but requested the Assistance of a Naib. When I became of Age, there was no further Occasion for a Naib ; and I accordingly wrote to you on the Subject, and informed you that I would take on myself the Management of my own Affairs, and had no further Use for a Naib. And as this was perfectly reasonable, you in Council gave your Sanction thereto, and favoured me with a Letter, authorizing me to take the Administration on myself, and to dismiss the said Nabob ; which was accordingly done ; and, from that Time to the present, the Affairs of the Nizamut, Fouzdarry, and Adawlut depending on the Nizamut, have been conducted on that Plan by my Authority.—The Letter received from the Court of Directors, signifying their Pleasure that the said Nabob be restored to the Naib Soubahship, fills me with the greatest Astonishment ; nor can I penetrate the Motive of it. Perhaps the Circumstance of my being arrived at Years of Maturity have not yet reached the Ears of the Court of Directors in Europe ; and, notwithstanding the Number of Children and Dependants which I have, they still reckon me an Infant ; otherwise, would they have determined to place my Family under the Authority of another, and written you for that Purpose ? In a Word, it was necessary that I should inform you of my Situation, which I formerly did ; and it depended on you to transmit such Information to the Court of Directors.

It is notorious, that the meanest of the People will not admit of the Authority of a Stranger in their Families ; how can it then be expected of me ? In a Word, I administer the Affairs of the Nizamut, which are in fact the Affairs of my own Family, by my own Authority, and shall do so ; and I can never, on any Account, agree to the Appointment of the said Nabob to the Naib Soubahship, which would bring the greatest Dishonour, Disgrace, and Contempt on me. I will never, of my own Consent, admit the said Nabob to any Authority in the Affairs of the Nizamut, Fouzdarry, and Adawlut dependent on the Nizamut ; and from Motives of Justice I expect, regarding the Rights which my late Father is allowed to have had on the Company, you will never consent that any Compulsion be put in question ; and that you will use every Means for the Preservation of my Credit, Honour, and Dignity.

From Mahomed Reza Cawn, addressed to the Governor General 14th November.

Your gracious Letter, informing me that you had received a Letter from the Court of Directors, signifying their Pleasure that I shall be restored to the Office of Naib Soubah, and to be assured, that as
SEL. COM. REP. V. G g long

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long as I shall merit their Favour, by my Attachment to the Company and a faithful Discharge of the Duties of that Office, their Protection will be continued to me; honoured me by its Arrival on the 24th Jehauder (3d December.) My Tongue has been ever since employed in expressing my Thankfulness to the Company for their great Kindness to me, and my Heart is deeply impressed with Gratitude for your Favours; and from the Abundance of your Bounty and Regard to me, I am hopeful that, taking Compassion upon my unfortunate Situation, you will restore me to the Station which I held before, and make me ever grateful to you for such mighty Obligations.

I was always, from the Bottom of my Heart, attached to the Company, and kept their Interest in View; and shall now continue to shew my Attachment to them, and to execute the Business belonging to that Station with all my Abilities. Meir Seid Aly is at your Presence; I hope he will meet with your Favour; whatever you are pleased, at any Time, to direct him to do, shall be performed.

From the same to the Council.

Your gracious Letter, &c. &c. honoured me by its Arrival on the 24th of Zekadar (3d December.) I have ever since been employed in returning Thanks for the Kindness of the Company, and the Protection of the Governor General and the Gentlemen of the Council. From the Greatness of your Bounty I am hopeful, that being favourably inclined to me, you will restore me to my former Station. I have always been faithfully attached to the Interests of the Company, and shall ever continue to shew my Attachment to them, and to perform the Duties of that Station.

Mr. Francis delivers in the following Minute:

Mr. Francis—I must request the Attention of the Board to a short Recapitulation of the principal Steps taken, and Declarations made, by the Nabob, and by this Government, in relation to the Removal of Mahomed Reza Cawn, and to the succeeding Distribution of the several Offices held by him.

In a Letter received from the Nabob on the 17th November 1777, he desires, “That Munny Begum may be allowed to take on herself the Administration of the Affairs of the Nizamut, without the Interference of any other Person whatever;” and adds, “that by this the Governor will give him compleat Satisfaction.”

In the next Letter, received 12th February 1778, he desires that Mahomed Reza Cawn may be removed, and expresses his Hope that, “as he himself is now come to Years of Maturity, and by the Blessing of God is not so devoid of Understanding as to be incapable of conducting his own Affairs,” the Governor will give him the conducting of the Affairs of the Nizamut, and of his own Household, together with the Administration of the Adawlut and Fouzdarry.

As the Court of Directors themselves have fully discussed the Claims and Pretensions stated in this Letter, I shall not attempt to add any Thing to their Observations thereupon.

On the 7th of March 1778, a Letter from the Governor informs the Nabob, that it had been agreed, “that his Excellency being now arrived at Years of Maturity, the Controul of his own Household, and of the Courts dependent on the Nizamut and Phoufdarry, should be placed in his Hands;” and Mahomed Reza Cawn was directed at the same Time to resign his Authority to the Nabob.

In a Letter received from the Nabob the 4th May 1778, he says, “he has made Choice of Sudder ul Hoc Khan to fill the Station of Naib of his Adawlut and Phoufdarry, and of Rajah Gourdas for the Office of the Nizamut;” and desires that “Mahomed Reza Cawn’s Salary may be divided between these Two Persons and the Two Begums.” On the Requests contained in the Letter, and immediately complied with, I have nothing to add to the Remarks stated in my Minute of 7th May 1778, except, that there could not be a grosser Contradiction than, first to remove Mahomed Reza Cawn on Pretence of the Nabob’s executing the several Offices himself, and immediately afterwards to appoint other Persons to execute those Offices, and at the same Time to give a considerable Portion of the Salary annexed to them to the Two Begums.

Sudder ul Hoc Khan, in a Letter received 1st September 1778, says, “His Highness himself is not deficient in Regard for me, but certain bad Men have gained an Ascendancy over his Temper, by whose Instigation he acts.” After complaining of the Sights he receives from the Nabob, he adds: “Thus they cause the Nabob to treat me, sometimes with Indignity, at others with Kindness, just as they think proper to advise him; their View is, that by compelling me to Displeasure at such unworthy Treatment, they may force me either to relinquish my Station, or to join with them and act by their Advice, and appoint Creatures of their Recommendation to the different Offices, from which they might draw Profit to themselves.”

In a subsequent Letter to the Governor, Sudder ul Hoc Khan says, “The Begum’s Ministers, before my Arrival, with the Advice of their Counsellors, caused the Nabob to sign a Receipt; in consequence of which they received, at Two different Times, near 50,000 Rupees, in the Name of the Officers of the Adawlut, Fouzdarry, &c. from the Company’s Circar; and having drawn up an Account current in the Manner they wished, they got the Nabob to sign it, and then sent it to me.” In the same Letter he asserts, “that these People have the Nabob entirely in their Power.”

On the 1st of September 1778, the Government informs the Nabob, that “it is highly expedient that Sudder ul Hoc Khan should have full Controul in all Matters relative to his Office, and the

“sole

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" sole Appointment and Dismission of the Sudder and Mofussil Officers; and that his Seal and Signature should be authentic to all Papers having Relation to the Business entrusted to him; — I therefore intimate to you, that he should appoint and dismiss all the Officers under him, and that your Excellency should not interfere in any one."

The Nabob, in a Letter to the Governor, received 3d September 1778, says, " Agreeably to your Pleasure, I have relinquished all Concern with the Affairs of the Phouldarry and Adawlut, leaving the entire Management in Sudder ul Hoc Khan's Hands."

Sudder ul Hoc Khan, in a Letter received 30th September, says, " Yatibar Ally Cawn (Munny Begum's chief Eunuch) from the Amount Salaries of the Officers of the Adawlut and Phouldarry, which before my Arrival he had received for Two Months from the Sircar, made Disbursements according to his own Pleasure; he had therefore caused the Sum of 7,400 Rupees, on Account of the Price of mine and my Paisheer's Kellauts, to be carried to Account, and now continually sends a Man to demand from me Four thousand Three hundred and odd Rupees, as the Balance of the Price of Kellauts, and constantly presses me to take it from the Amount of the Salaries of the Officers of the Adawlut and Fouzdarry, and send it to him; and I shall be under the Necessity of complying: I mention this for your Information."

The Governor General's Letter to the Nabob, dated the 10th of October 1778, contains a Representation so pointed, and so very just, of the fatal Effects which had attended the Nabob's interfering in the Administration of Justice, that I shall insert it entire, but without any Comment; in fact, it speaks too plainly to require one.

" At your Excellency's Request, I sent Sudder ul Hoc Khan to take on him the Administration of the Affairs of the Adawlut and Fouzdarry, and hoped by that Means not only to have given Satisfaction to your Excellency, but that through his Abilities and Experience, these Affairs would have been conducted in such Manner as to have secured the Peace of the Country and the Happiness of the People; and it is with the greatest Concern I learn that this Measure is so far from being attended with the expected Advantages, that the Affairs both of the Fouzdarry and Adawlut are in the greatest Confusion imaginable, and daily Robberies and Murders are perpetrated throughout the Country.

" This is evidently owing to the Want of a proper Authority in the Person appointed to superintend them; I therefore addressed your Excellency on the Importance and Delicacy of the Affairs in question, and of the Necessity of lodging full Power in the Hands of the Person chosen to administer them; in Reply to which, your Excellency expressed Sentiments coincident with mine: Notwithstanding which, your Dependents and People, actuated by selfish and avaricious Views, have by their Interference so impeded the Business as to throw the whole Country into a State of Confusion, from which nothing can retrieve it but an unlimited Power lodged in the Hands of the Superintendant. I therefore request that your Excellency will give the strictest Injunctions to all your Dependents, not to interfere in any Manner with any Matter relative to the Affairs of the Adawlut and Phouldarry; and that you will yourself relinquish all Interference therein, and leave them entirely to the Management of Sudder ul Hoc Khan. This is absolutely necessary to restore the Country to a State of Tranquillity; and if your Excellency has any Plan to propose for the Management of the Affairs in future, be pleased to communicate it to me, and every Attention shall be paid to give your Excellency Satisfaction; in the mean Time I have given Directions to Sudder ul Hoc Khan to take the sole Management of them into his own Hands, and to apply assiduously to the Restoration of Tranquillity and good Order in the Country; and I must request that your Excellency will confirm them by similar Orders to him; otherwise a Measure which I adopted at your Excellency's Request, and with a View to your Satisfaction, and the Benefit of the Country, will be attended with quite contrary Effects, and bring Discredit on me."

From the preceding Correspondence I think it appears beyond Dispute, that the Nabob himself has hitherto been a mere Cypher through the whole Transaction, or rather an Instrument in the Hands of Munny Begum, and others employed by them, and for their Purposes only, to accomplish the Removal of Mahomed Reza Cawn. That these People have made a most dangerous and iniquitous Use of the Nabob's Name and Authority, while they had both at their Disposal, and that the Governor General himself was convinced that the Interference of the Nabob, or of those who acted for him, in the Affairs of the Nizamut, had been attended with the most ruinous Consequences, which he accordingly endeavoured to obviate, by directing him not to concern himself in any Shape in the Conduct of the Business entrusted to the Naib Soubadar.

With respect to the Nabob, I shall only observe that his Letters involve him in a very disgraceful Dilemma; if I could believe it possible, that freely, and of his own mere Motion, he could recommend "*That Munny Begum should take on herself the Management of the Affairs of the Nizamut, without the Interference of any other Person*;" that he should in one Letter desire to conduct the Affairs of the Nizamut himself, and in the next that a Naib should be appointed to conduct them for him; I should give little Credit to the Assertion with which these Requests are accompanied, viz. *That he is not devoid of Understanding*. He may arrive at Years of Maturity; but if at the Age of Twenty-one he does not perceive the Folly and Absurdity of such Propositions and such Contradictions, I should despair of his ever arriving at Years of Discretion. On the other Hand, if these Letters are written for him, which I am thoroughly satisfied is the Case; if he has no Will of his own; and if the Rights and Authorities demanded in his Name are in Reality to devolve to Munny Begum, to her chief Eunuch, and to the other Persons of whose Misconduct the late Naib Soubadar made so many Complaints to the Governor, what Opinion are we to entertain of his Excellency's Understanding

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standing and Veracity? or on what Ground can we commit the Management of such important Affairs to a young Man so dependent on Munny Begum, and evidently so incapable of judging or acting for himself.

I now proceed to the last Orders of the Court of Directors. They consider the whole Subject in the same Light that I do; they acknowledge no Rights of Inheritance in the Nabob; they understand every ostensible Accession to his Power as a real one to that of Munny Begum; they deem it for the Welfare of the Country, that the Office of Naib Soubadar should be continued, and they positively direct us forthwith to signify to the Nabob their Pleasure, that Mahomed Reza Cawn be immediately restored to it.

But notwithstanding they had a thorough Knowledge of the Facts, and were perfectly acquainted with all the Characters, they certainly were not aware of the Possibility of such a Case as now exists, or they would have provided against it: They did not foresee that their positive Orders would not be enforced by this Government, or that such Orders would be disobeyed. When they read the Nabob's late Letters, the false and frivolous Pretences on which he endeavours to counteract and defeat an Arrangement which the Company have deemed necessary for the Welfare of the Country, will astonish them no less than our Acquiescence in such Pretences.

First he says, that he had formerly written to the Governor, that he had no further Occasion for a Naib, and would himself conduct his own Affairs; and he asserts, that since the Dismission of Mahomed Reza Cawn to the present Time, the Business had been conducted under his own immediate Direction. Is it possible that he should forget, that in consequence of Sudder ul Hoc-Khân's Appointment, the Governor had expressly required him not to interfere; and that the Nabob had thereupon relinquished all Concern with the Affairs of the Fouzdarry and Adawlut, and left the entire Management of them to the Hands of the Naib?—In his next Letter he talks of the Rights of his deceased Father as well as his own, as if the Office of Nazim was hereditary. He talks of his Claims on the Company as if he held by some other Title than their Friendship and Protection, or as if either he or his Father had any Right in the Soubahdary beyond what they derived from the voluntary Acts of the Company, or of their Representatives. He says, he never will admit Mahomed Reza Cawn to possess any Degree of Authority in his Family; and that as Sudder ul Hoc Cawn is dead, he shall take upon himself the Management of the Business. In his last Letter, he observes that Mahomed Reza Cawn was at first appointed on account of his the Nabob's tender Age, which required the Assistance of a Naib; forgetting, that not only a Naib Soubadar was appointed, and the Office executed without Objection, during the Government of his Predecessors, but that he himself had submitted about a Year ago to the Appointment of Sudder ul Hoc Cawn, and that the latter continued to execute his several Offices till his Death, with Powers totally and unavowedly independant on the Nabob. He forgets, or perhaps he does not know, that the Treaty of March 1770, by which alone his Rights, whatever they may be, were created, provides for the Appointment of a Naib of the Provinces, to be invested with the Management of Affairs; and that this Naib was appointed at the Instance of the Governor and the Gentlemen of the Council. In the same Letter the Nabob declares, that he administers the Affairs of the Nizamut *by his own Authority, and shall do so*; and that he never can, on any Account, agree to the Appointment of Mahomed Reza Cawn to the Naib Soubahship.

The Governor General's Letter of the 10th October 1778, will shew the Company, not only in what Manner this important Business is likely to be conducted, and what Opinion the Governor General himself entertains of the Nabob's Capacity, but, that neither were his supposed Rights nor the Maturity of his Age attended to at that Time, nor his personal Inclination consulted; notwithstanding all his Claims to the Fouzdarry and Adawlut, the Governor's Pleasure divested him of both, and left him without an Option. These however are not the first and immediate Objects of Consideration; a new and unexpected Question is now before us. The Company's Orders are disobeyed on pretended Principles, which suppose the Existence of an Authority in these Provinces, independent of the Authority of Great Britain over them. That of the Court of Directors is the only Medium by which the Subjection of Bengal to Great Britain is held and secured: In Opposition to it, the Nabob declares, *that he acts by his own Authority, and shall continue to do so*. I do not know what Name the Law will give to the Disobedience of the Company's lawful Orders by this Board, or whether such Disobedience, directly avowed by ourselves, would not be less criminal, and in its Consequences less dangerous, than under the Form which it now assumes; but every Man must see which Way the present Example leads, and what Use may be made of it. If some vigorous Measures be not immediately taken by the Company to disarm the Nabob of all Means of Resistance, or at least to deter him from attempting it again, their Dominion over Bengal is not secure. I am sorry this unexperienced young Man should have been so unhappily advised: He does not know on what dangerous Ground he treads: He forgets himself too grossly when he disobeys the Company's positive Orders, and in the same Breath tells the Governor General, "You are the Master and my Patron, and I can take no Measure without first communicating it to you."

The Company will consider whether this avowed Distinction between them and their local Representative, be not something more than disrespectful; or whether their Injunctions would have been slighted, if they had been accompanied by the usual and proper Requisition on the Part of the Governor General and Council, which I repeatedly recommended without Success. Other and more alarming Reflections will naturally succeed. The ostensible Shadow of the Nabob's Authority may in Time find a Substance to support it. If the Spirit of Party and Faction, which prevails through every Department of Government, and through every other Rank of Life, should reach to the Sepoys,

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it would be a painful, but not a difficult Task, to count the few remaining Steps which lead inevitably from that State of Things to final Dissolution. At whatever Distance that Danger may appear to be; yet, if the Course we are in, point directly to it, I trust that the Wisdom of the Company will not deem it unworthy of their instant Consideration. The same Measures by which a great and eminent Mischief might have been prevented, will not be sufficient to correct or retrieve it.

I now move, that it may be resolved, that the preceding Letter from the Nabob is highly dissatisfactory to the Board; and that the Governor General be requested to signify the same to him, and to demand, in our Name, his immediate Compliance with the Orders of the Company.

Mr. Wheler—I agree to the Motion.

Mr. Barwell—If any Advantage was stated to derive to the Company by controuling the Will of the Nabob, it might be a Question with me how far the Occasion would vindicate the Compulsion proposed; but when no National Benefit can accrue, nor is stated, I cannot give my Assent to a very exceptionable Measure.

Governor General—I shall take another Occasion to deliver my Sentiments at large on the Subject of this Motion. For the present I shall content myself with declaring, that I have gone to the utmost Lengths prescribed to me by the Company's Orders, and by my Sense of my Duty, and that I will not go beyond them.

Mr. Francis's Motion resolved in the Negative.

Mr. Francis—Since it is resolved that the Board will not insist on the Nabob's Compliance with the Company's Orders, nothing is left for me, but to move, as I now do, that the Salary allotted by the Company out of their Revenues, for the Support of the Office of Naib Souba, amounting to Three Lacks of Rupees per Annum, or so much of it as was divided between Munny Begum, Baboo Begum, Rajah Gourdass, and Sudder ul hoc Cawn, may cease, and be made a Saving in the Company's Treasury, from the Day when Sudder ul hoc Cawn died. It is the Company's Property; and if it be not employed in the Manner they direct, it should not at least be applied to any other Purpose.

Mr. Wheler—I agree to the Motion.

Mr. Barwell—I must desire that the Fund from which this Payment is made to the Ministers of the Nabob, be stated by the Accountant General before I give my Opinion on the Motion.

Governor General—I object to the Question in the Terms of it, but I consent to wait for the Information required by Mr. Barwell.

Ordered, That the Accountant General to the Revenue Department be directed to furnish the Account desired by Mr. Barwell.

Agreed, That the further Consideration of this Subject be deferred till the Receipt of the above-mentioned Account.

Warren Hastings,
P. Francis,
Edw^d Wheler.

(F a)

Extract of the Proceedings of the Governor General and Council of Bengal, in their Public Department, the 20th December 1779.

Read the following Letter from the Accountant General to the Revenue Department.

To J. P. Auriol, Esquire, Secretary.

Sir,

In answer to your Letter of the 15th Instant, requiring a State of the Fund from which the Salary allotted by the Company for the Support of the Office of the Naib Soubah, or so much of it as was divided between Munny Begum, Baboo Begum, and Sudder ul huc Cawn, is paid, and what the present Situation of it is; I take the Liberty to inform you, that there is no Fund from whence those Salaries are defrayed; they are paid from the Treasury of the Resident at the Durbar, in the same Manner as the other Expences of Government under his Department.

I am, &c.

(Signed) Charles Crofts,
S. T.

Considered the Motion made by Mr. Francis in the last Consultation, viz. " That the Salary allotted by the Company out of their Revenues for the Support of the Office of Naib Soubah, amounting to Three Lacks of Sicca Rupees per Annum, or so much of it as was divided between Munny Begum, Baboo Begum, Rajah Gourdass, and Sudder ul hoc Cawn, may cease, and be made a Saving in the Company's Treasury, from the Day when Sudder ul hoc Cawn died."

Mr. Barwell—By the Letter received from Mr. Crofts, the Charge of the Nizamut Allowance appears to be defrayed by the Company; there was, I find, a certain Fund, under the Name of The Sinking Fund, established upon the Orders of the Company, limiting the personal Charges of the Nabob to the Sum of 16 Lacks, and reserving Sicca Rupees 15,81,860 per Annum; and to this

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Fund

Fund were charged certain Demands against the Mogul Government, which have since been totally liquidated, as will appear more particularly by a State of the Fund which I have just now received from Mr. Crofts. If it was incumbent on the Nabob to discharge out of the Allowances made to him by our Government, the different Claims which appear to be stated in this Account, I do not see any Reason why the Company should continue burthened with certain Expences which arise solely on the Score of his Government, while those Means which he has of providing for the Whole from his established Allowances, remain unapplied. By the present Method, it appears to me, the Savings stated in the Sinking Fund are made totally at the Expence of the Company; because the Charges of the Nizamut, or Country Government dependent on the Souba, instead of being disbursed from the Sum allotted for the Souba's Government, are disbursed from the Company's Means, and the Claim on the Score of the Allowances fixed for the Charges of the Souba's Government, suffered to accumulate to the exorbitant Sum of 90,04,188. 7. 4. as a Debt due from the Company; this being the Case, there appears to me to be an absolute Necessity to correct an Error, which has led Mr. Francis into the Idea that the Disbursement which is made by the Company, is made by them out of their Revenues, for the Support of the Office of Naib Souba, amounting to Three Lacks of Rupees per Annum. While the Company hold this Fund of 15,81,860 Rupees per Annum, of the Sum of 31,81,860, which by Treaty they expressly stipulate to pay for the Support of the Souba's Government, it is not just that they should be charged with any Expence to be disbursed on that Account. I therefore move, that all Expences that have been incurred, or shall in future be incurred, on account of the Nizamut, or Country Government dependent on the Souba, be set off against the Claims of the Souba, for such Part of the Stipend or Salary allotted for the Support of his Government as has been retained by Government, for this and other express Purposes directed by the Company. I understand the Motion made by Mr. Francis to have for its Object, the compelling the Nabob to accept of Mahomed Reza Cawn for his Minister, or to reserve the Sum which is allotted as the Due of Mahomed Reza Cawn, to be disposed of by the Orders of the Company. This Motion being made on the Presumption that the Nizamut Officers are the Officers of the Company, and in the Pay of the Company, can only be supported upon that Principle. I am therefore against the Motion.

A P P E N D I X, N° 6. (Fa)

D^r.

Sinking Fund arising from the Reduction of Nabob Mobareck ul Dowla's Stipend.

C^r.

To the Honourable Company, for Sums disbursed by them on the following Accounts, to replace from the Aggregate of this Fund.		Savings on the Nabob's Stipend, from the 21st January 1772, to the 17th December 1779, is 7 Years 10 Months 26 Days, at the Rate of Sicca Rupees 15,81,860 per Annum, amounts to	
Army Donation.		Sicca Rupees — —	
1766. 12th March C ^r R ^r 1,50,000 — —		Batta, 16 per Cent. — —	
8th April — 24,000 — —			
1769. 12th September — 1,45,632 12 6			
		3,19,632 12 6	
Navy Donation.			
1770. January, 1st Payment — C ^r R ^r 7,25,000 — —			
1771. September, 2d D ^o 7,25,000 — —			
1773. July 1st Infant, 2d D ^o — — 1,37,750 — —			
1774. August. Ordered per Gen ^l Letter 7th January 1774 — 95,156 — —			
		16,82,906 — —	
1776. May 12. To Treasury, for the Amount of a Dividend of One Anna paid to the Claimants of the Restitution Fund — —		27,18,170 12 6	
1779. Dec ^r 18. Debt to Bolawky Dofs — —			
Sum agreed for with Juggut Seat, for 10 Years, at the Rate of 1,05,000 Sicca Rupees per Annum — — S ^r R ^r 10,50,000 — —			
Batta, 16 per Cent. — —		12,18,000 — —	
		39,36,170 12 6	
Carried over, C ^r R ^r — —			Carried over — —
			1,45,06,359 3 10

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D ^r .		Brought over	39,36,170	12	6		1,45,06,359	3	10	C ^r .
	N ^o 1. Of this Amount the Sum of Sicca Rupees 8,91,375. 12. has only been paid ; the Balance is deposited in the Treasury, for the Annual Payment of the remaining Debt.	—								
1774. May 19.	To Treasury, for the Amount of a Dividend of One Anna paid to the Claimants of the Restitution Fund	—	3,48,000	—	—					
July 10.	To Treasury, for Amount of Two Dividends of the Compensation allowed for Colonel Munro's Jaghire, paid to his Attornies	C ^r R. 1,16,000	—							
21.	For the Amount of a Dividend of One Anna, paid to the Claimants of the Restitution Fund	—	3,48,000	—	—					
Oct' 31.	To Treasury, for the Amount of a Dividend of One Anna, paid to the Claimants of the Restitution Fund	—	4,64,000	—	—					
Dec' 14.	For the Amount of a proportional Dividend of the Compensation for Colonel Munro's Jaghire, paid to his Attornies	—	3,48,000	—	—					
1775. Feb' 4.	To Treasury, for the Amount of the 16th and last Dividend to the Claimants of the Restitution Fund	—	58,000	—	—					
	To Balance	—	3,48,000	—	—					
		C ^r R.	55,02,170	12	6					
		—	90,04,188	7	4					
	Current Rupees	—	1,45,06,359	3	10					

Fort William, the 18th December 1779.

Errors excepted.

(Signed)

Charles Crofts,
Acc^t Gen. Rev. Depart.

Mr.

A P P E N D I X, N° 6. (Fa)

Mr. Francis's Motion resolved in the Negative.

Considered the Motion contained in the preceding Minute of Mr. Barwell:

Mr. Wheeler—I am against Mr. Barwell's Motion.

Mr. Francis—If I understand the preceding Minute, the Savings from which the Sinking Fund therein mentioned was constituted, viz. 15,81,860 Sicca Rupees per Annum (accruing since the Time when the Pension of the Nabob Mobareck ul Dowla; as settled by a Treaty highly disapproved by the Company, was reduced to 16 Lacks by their positive Orders) do not belong to the Company, and that something will be gained by charging that Fund with the Amount of the Salary allotted by the Company out of their own Revenues for the Support of the Naib Souba. It is indifferent to me, and I believe perfectly immaterial to the Company, in what Way the Account is stated. The Charge, if disbursed, comes out of the Company's Treasury: It is immediately paid out of the Collections of the Division of Moorshedabad, as the Company will see, by referring to our Letter to Mr. Martin, of the 11th May 1778. Am I to understand, that Mr. Barwell means to make the Company Debtor to the Nabob Mobareck ul Dowla, for the Amount of the above Savings? If he does, I wish it to be declared so in plain Terms. They would by this Time amount, as I believe, to 112 Lacks of Sicca Rupees. If he does not, I cannot possibly discover the Meaning or Application of his Motion. As for myself, I deny the Fact, and all Consequences pretended to be derived from it.—On the Remainder of Mr. Barwell's Minute, there is but little to be said. Supposing it true, that a real effective Country Government now existed, and that the Affairs of the Nizamut did of Right fall under the immediate Administration of Mobareck ul Dowla (all which is so manifestly contrary to the Fact, that it will not bear an Argument) still it would not follow, that my last Motion ought to be rejected. The Sum which I propose to be reserved, is not divided among the Officers of the Nizamut: Mr. Barwell surely did not consider in what Manner it is actually distributed. Neither do I admit, that my last Motion *had for its Object the compelling the Nabob to accept of Mahomed Reza Cawn for his Minister*: It could not possibly have that Effect: The Point was already decided by a preceding Resolution. And if, as I conclude, the sole Object of the Nabob be to keep the Amount of Mahomed Reza Cawn's Salary, and to distribute it among his Family and Dependents, our taking the Money from him will not tend to compel him to re-instate Mahomed Reza Cawn, by which he would equally lose it. If that were the only Alternative proposed to him, he would certainly prefer the Measure which freed him from the Check of Mahomed Reza Cawn's Authority, and left every Thing in his own Hands.

I have said, the Mode of stating the Account proposed by Mr. Barwell, is a Matter of Indifference in itself; but as it implies a Conclusion in which I do not concur, I am against the Motion.

(Signed) Philip Francis.

Governor General—Mr. Barwell's Motion is literally conformable to the Orders of the Court of Directors of the 10th April 1771, which first directed the Suspension of One Moiety of the Nabob's Stipend, and which I desire the Secretary for that Reason, and for the strongest Justification of it, to enter after this Minute. I agree to the Motion.

Extract of the General Letter from the Court of Directors, dated 10th April 1771:

"Par. 38. Convinced as we are, that an Allowance of Sixteen Lacks per Annum will be sufficient for the Support of the Nabob's State and Rank while a Minor, we must consider every Addition thereto as so much to be wasted on a Herd of Parasites and Sycophants, who will continually surround him; or at least to be hoarded up; a Consequence still more pernicious to the Company: You are therefore, during the Non-age of the Nabob, to reduce his Annual Stipend to Sixteen Lacks of Rupees; and this we have the greater Reason to require, as we find ourselves subjected to the Payment of large Sums, due from the Revenues of the Dewanny before the Company became possessed thereof, on Account of the Navy Donation, and the Arrears of that to the Army; the Balance due for Restitution to Europeans, Colonel Munro's Demand for Two Lacks, the Debt due to Belackydass, and the Annual Sum of One Lack for Ten Years, which we have agreed to pay to Jugget Seat; all which press on us with such united Force, that our Treasury will be unable to satisfy these several Demands without wounding our Commerical Interests, and endangering our Possessions in Bengal. Being once relieved from this Load of Incumbrances, the Savings, we may expect from this Reduction, will properly become a Fund for Military Exigencies; which Fund, being solely applicable to the Defence of the Provinces, will contribute no less to the Nabob's future Benefit than to that of the Company.

"Par. 39. At a Time when every justifiable Measure should be adopted for availing the Public and the Company of all the Advantages we had in Prospect from our Possession of the Dewanny, we cannot but reflect on the Dissipation of a considerable Part thereof, by the Allowances to the Nabob's Ministers."

Ordered, That all the Expences which have been incurred, or which shall in future be incurred, on Account of the Nizamut, or Country Government dependant on the Souba, be set off against the Claims of the Souba for such Part of the Stipend or Salary allotted for the Support of his Government, as has been retained by Government for this and other express Purposes, directed by the Company in their Letter of the 10th April 1771.

SEL. COM. REP. V.

I i

Extract

A P P E N D I X, N^o 6. (F a) (G a)

Extract of General Letter from Bengal, dated 14th January 1780.

15 December. Par. 54. On Receipt of your Orders of the 4th February last, for the Restoration of Mahomed Reza Cawn to the Office of Naib Souba, we caused an Extract from them to be translated into the Persian Language, and transmitted, through the usual Channel, to the Nabob Mobareck ul Dowla. By his Answer you will observe, that he has not thought proper to comply with your Requisition. For the Reasons on which he has grounded his Refusal, and our Debates and Proceedings in Consequence, we beg Leave to refer to our Consultations, and to request your attentive Perusal of them.

(G a)

Extract of the Proceedings of the Governor General and Council, in their Public Department, 24th February 1780.

The Governor General lays before the Board a Letter from the Nabob Mobareck ul Dowla, containing his Assent to the most essential Parts of the Company's late Order for the Restoration of Mahomed Reza Cawn to the Office of Naib Soubah. The Governor General informs the Board, that he has urged to him the Necessity of a full Compliance, and that he considers this as already effected: He therefore proposes, that the Resident at the Durbar be directed to inform Mahomed Reza Cawn, that he is re-instated in all and every Part of the Authority vested in him by the Resolution of the Board of the 18th October 1775, and to receive the Salary of Sicca Rupees 2,40,000 per Annum, annexed to his Office by the above Resolution, from the 13th November 1779; from which Day the several Salaries and Allowances granted to Munny Begum, Baboo Begum, Rajah Gourdas, and the late Sudder ul Hoc Cawn, by the Resolution of the Board of the 11th of May 1778, are to cease and determine; and that he be authorized to prepare Khelauts, and invest Mahomed Reza Cawn with the same, in the Name of this Government, and that the Nabob be requested to bestow on him the same Marks of his Favour.

From the Nabob Mobareck ul Dowla, received 22d February 1780.

Your gracious Letter, informing me, that you had received repeated and positive Orders from the Company, about the Restoration of the Nabob Mahomed Reza Cawn, Bahadre, Mozuffer Jung, to the Office of Naib Soubah; and also respecting the withdrawing the Pension of the Two-Begums, which had been assigned to them in the Month of January 1778, and containing your Advice on this Subject, is arrived, and I am acquainted with all the Particulars of it.

Sir! what Uneasiness and Sorrow I felt on learning the Contents of your Letter, are foreign to my present Letter. Before this I have made you acquainted with my Wishes on the Subject of the said Nabob's Restoration, and I have not yet altered my Desire on this Head: But as the Company's Orders are so positive, and since you, whom I have always considered, and still consider, as the Support of myself and my Family, advise me to comply with them, I am left without Remedy. As I have at all Times conducted my Affairs agreeable to your Advice, although it should not coincide with my Wishes, I have accordingly determined to obey the Orders of the Company respecting the Restoration of the Nabob Mahomed Reza Cawn to the Office of Naib Soubah, and to re-instate him accordingly in all the Rights of that Office; but will not suffer him to have any Authority in my Household Matters, which depend solely upon myself; and besides, I hope from your Friendship, that positive Directions may be given to him at the Time of his Appointment, that he act in all Matters by my Advice; and that my Signature be put to all Papers. Although I, from the Necessity of the Times, and in Compliance with your Advice, have agreed to a Thing which is full of Detriment to my Rights and those of my Family, and contrary to the Expectations which I had from the Company and the English Nation; yet, reflecting on the Justice and Equity of the English Gentlemen, I am confident, that whenever the Company shall send out Orders by which my Rights can be impaired, and should direct me to be put under the Authority of a Person who has no Right in the least to it, you will, upon receiving full Information of it, do me Justice, and restore me to my Rights, that no Disgrace and Dishonour may come upon me. In short, I trust all my Concerns to your Friendship, and hope that you will explain them in such a Manner to the Company, that Justice may be done to me. Further Particulars will be made known to you by the Letter of Sir John D'Oyley, who is my true Friend, and in whom I put entire Confidence. Whatever he shall write, consider as coming directly from me.

Agreed to the Governor General's Proposition; and resolved, That the following Letter be written to the Resident at the Durbar.

Sir,

The Nabob having assented to the Execution of the Orders from the Honourable the Court of Directors, in favour of Mahomed Reza Cawn, we desire you will inform him, that he is re-instated in all and every Part of the Authority vested in him by the Resolution of the Board of the 18th October

A. P. P. E. N. D. I. X, N^o 6. (Ga) (Ha) (Ka)

ber 1775, and to receive the Salary of Sicca Rupees 2,40,000 per Annum, annexed to his Office by the above Resolution, from the 13th November 1779; from which Day the Salaries and Allowances granted to Munny Begum, Baboo Begum, Rajah Gourdafs, and the late Sudder ul Hoc Cawn, by the Resolution of the Board of the 11th of May 1778, are to cease and determine.

As it is proper that a Khelaut should be presented to Mahomed Reza Cawn, in the Name of this Government, on the Occasion of his Appointment, we direct, that you accordingly invest him with one; and make it our Request to the Nabob, that he will likewise bestow the same Mark of his Favour upon him.

Fort William,
24th February 1780.

We are &c.

(H a)

Extract of General Letter from Bengal, dated 3d March 1780.

Par. 12. We have the Pleasure to inform you, that the Nabob Mobareck ul Dowla having signified his Assent to the Execution of your Orders, in favour of Mahomed Reza Cawn, by a Letter to the Governor General, we accordingly re-instated him in all and every Part of the Authority vested in him by the Resolution of the Board of the 18th October 1775, with the Salary of Sicca Rupees, 2,40,000, annexed to the Office by that Resolution, from the 13th November 1779; from which Day the several Salaries and Allowances granted to Munny Begum, Baboo Begum, Rajah Gourdafs, and the late Sudder ul Hoc Cawn, are to cease and determine.

(K a)

Extract of the Proceedings of the Governor General and Council, in their Public Department, 23d March 1780.

Honourable Sir, and Sirs,

I have been honoured with your Letter of the 24th February; and in Compliance with your Orders, having previously settled all Points of Ceremony between the Nabob Mobareck ul Dowla and the Nabob Mozuffer Jung, I invested the latter with a Khelaut, in the Name of the English Government; and informed him, that he was re-instated in all and every Part of the Authority vested in him by a former Resolution of the Board of the 18th of October 1775, and that he was to receive the Salary of 2,40,000 Sicca Rupees, to commence from the 13th November 1779.

There is one Point which, as I could not settle, I must take the Liberty to refer to your Determination. You direct, that I shall request of the Nabob Mobareck ul Dowla, that he will bestow a Khelaut on the Nabob Mozuffer Jung, as a Mark of his Favour. I accordingly made the Request, and the Nabob would very willingly have complied; but as Mozuffer Jung could by no Means be induced to accept of it, I thought it better to let the Matter rest till you should decide upon it, than to subject the Nabob to the Disgrace of having it refused when offered. The Nabob Mozuffer Jung's Arguments were, that he had never before received a Khellaut from the Nabob Mobareck ul Dowla; and that so far from being a Mark of Honour to him, which he is convinced was meant by the Board, it would have a contrary Tendency: It was therefore agreed between them, to leave the Point undetermined till your Pleasure should be known.

Should it appear to your Honourable Board necessary that the Nabob Mozuffer Jung should receive a Khellaut from the Nabob Mobareck ul Dowla, permit me to request that you will inform me thereof, and also signify your Pleasure on this Subject to the Nabob Mozuffer Jung.

I must likewise request your further Orders respecting the Salaries of the Munny Begum, Baboo Begum, &c. they having received the full Amount of their respective Allowance, as settled by the Board on the 11th of May 1778, to the End of January of the present Year.

I have communicated to them your Orders, and demanded of them the Overplus, received since the Date on which you determined they should cease; but can gain no other Answer than that they shall address the Honourable the Governor General on the Subject, and wait the Decision.

I have the Pleasure to inform you, that the Whole of the Transaction was conducted in such a Manner as to give apparent Satisfaction to all Parties. The Nabob Mobareck ul Dowla and the Nabob Mozuffer Jung shewed every Degree of Respect and Attention to each other.

I could have wished to have had fuller Instructions from your Honourable Board, respecting the Mode of conducting this Business; but as I had not, I judged it best, and most likely to give general Satisfaction, to conform in every Respect to what had been formerly practised on similar Occasions; and I flatter myself that my Conduct will meet with your Approbation.

I have the Honour, &c.

Moorshedabad,
1st March 1780.

(Signed)

J. H. D'Oyly,
Resident at the Durbar.

Resolved,

A P P E N D I X, N° 6. (K a) — N° 8.

Resolved, That the following Reply be written to the Resident at the Durbar:

Sir,
We have received your Letters of the 31st January and 1st March; in consequence of which we have only at present to direct, that the Two Begums be required to refund the Overplus which they have received on Account of their Salaries, from the Company out of their growing Pensions from the Nabob.

Fort William,
23d March 1780.

We are, &c.

N. B. There is no Appendix, N° 7.

A P P E N D I X, N° 8.

PROCEEDINGS of the Governor General and Council at Fort William in Bengal, relative to pecuniary Allowances granted to Sir Eyre Coote in 1779: Also, The Court's Orders of 18th October 1780 on the Subject.

Extract of the Proceedings of the Board of Inspection at Fort William in Bengal, the 12th April 1779.

(65) READ the following Propositions of Lieutenant General Sir Eyre Coote, referred from the Council to this Department.

Propositions from Lieutenant General Sir Eyre Coote, referred to the Board of Inspection.

4. That the $5\frac{1}{2}$ Shares of the Revenue do devolve upon Sir Eyre Coote, as Commander in Chief, from his Arrival at Fort William on the 23d of March; and that General Stibbert do only share as eldest Colonel from that Time.
5. That the 3,000 Rupees per Month, lately granted to General Stibbert for Contingent Expences in the Field, do devolve on General Coote from the 31st of March, as Commander in Chief.
6. That the 16,000 Rupees per Annum, for Secret Intelligence, do devolve on General Sir Eyre Coote, from the 31st of March.

(Signed) W. Bruere,
Acting Secy.

Sir Eyre Coote delivers in the following Minute:

(66) The Reference I made to the Board on the Subject of General Stibbert's Allowances, which exceed mine by 82,750 Rupees per Annum, proceeded from an Idea that they were granted to him as Commander in Chief under this Presidency; and as on my Arrival at Fort William he could be no longer considered in that Capacity, whatever he drew under such a Denomination must necessarily be discontinued to him.

An Examination of the Minutes of Council has rendered me Master of the several Reasons assigned for granting him those Allowances; and my Researches on this Occasion have led me also to a Knowledge of the Sentiments which have been expressed by the Members of the Board in general, respecting the Insufficiency of the Salary allowed by the Court of Directors to their Commander in Chief in India.

From a long Experience of the Service, I am thoroughly convinced of the Justice of this Opinion, and I am equally certain, that the Court of Directors never meant I should suffer in my private Fortune by carrying on the Public Service.

You will please, therefore, Gentlemen, to adopt such Measures as may prevent any unnecessary Expence from falling upon the Company, and which will at the same Time enable me to execute the Duties incumbent upon me as their Commander in Chief, to visit the several Stations of the Troops, or to take the Field, if necessary, without involving myself in Expences which I should be unable to support.

(Signed) E. Coote.

Mr. Francis—I have prepared my Opinion on the Commander in Chief's Propositions, and beg leave to lay it before the Board.

My Opinion on the Amount of General Stibbert's Allowances is very fully stated in the Consultations of the 14th of May 1778, and I adhere to it in every Particular; I think they should now be reduced to the Establishment at which they stood during General Clavering's Command. This Establishment was formally referred to the Company, and confirmed by them in their Letter of the 24th of December 1776, Paragraph 49. I cannot consent to any Variation from the Allowances fixed for and enjoyed by General Clavering, without the Company's Orders. The very last which they have given us, and which Sir Eyre Coote brought out with him, direct "That Lieutenant General Sir Eyre Coote do receive the same Pay, as Commander in Chief of their Forces in India, as was received

A P P E N D I X, N^o 8.

received by Lieutenant General Sir John Clavering." If all the Allowances stated in the Propositions are agreed to, the present Commander in Chief will receive Eighty-two thousand Two hundred Current Rupees per Annum more than was received by his Predecessor.

(Signed) P. Francis. *

a 4 n^o 34

Mr. Barwell--As I expect in a short Time the Orders of the Company on the additional Allowances drawn by Brigadier General Stibbert, there does not appear any urgent Necessity to proceed in the Regulation of such Allowances until the Arrival of the Company's Instructions. The Court of Directors, in fixing the established Salary for a Commander of all their Forces in India, have expressed it as a Salary; they therefore certainly intended it to be drawn free and disburthened from all Disbursements to be incurred in the immediate Execution of their Military Service. They certainly did not intend to put the Commander in Chief of all their Military Forces upon a meaner Establishment than the Provincial Commander in Chief at the other Presidencies, or General Stibbert, whose Allowance (the 49th Paragraph of their Letter of the 24th December 1776) is reckoned at 82,000 Rupees. These Facts are so very striking, that I cannot doubt of our having full Authority to regulate an Establishment for Sir Eyre Coote while in the Field, as may be suitable to his high Rank, and bear some Proportion to the Allowances made to the Subordinate Field Officers of this Government. I am for the Question, that a Field Establishment be formed for Lieutenant General Sir Eyre Coote, Commander in Chief of all the Company's Forces, while in the Field.

Governor General--The Allowance of $5\frac{1}{2}$ Shares of the Commission on the Revenues was not an Emolument annexed to his Station, but a Bounty specially and personally granted to General Stibbert by the Orders of the Court of Directors, in the 31st Paragraph of their General Letter of the 16th April 1777: It cannot therefore be taken from him but by the same Authority.

The Allowance of 3,000 Rupees per Month for Contingent Expences in the Field, was granted to General Stibbert by a separate Act of this Board. Though their Resolutions upon this Subject have been various, yet the Opinions of the different Members, respecting the Necessity of such an Allowance, have been generally the same, as may be seen by the Proceedings of the Board of the 29th February 1776, when this Subject was first brought under the Consideration of the Board, and for other Reasons rejected. For the Truth of this, I appeal particularly to the Opinions of General Clavering and Colonel Monson.

This was never meant as an Allowance annexed to the Station of Commander in Chief; for when it was first proposed, General Stibbert was not considered as invested with that Character; but to defray the unavoidable Expences attendant on the Command in the Field.

As the Resolution of the Board upon this Subject has been long since referred to the Court of Directors, with another relative Circumstance, which must force their Attention to it, and draw from them a clear Decision upon it; and as that Decision may be expected with the first Dispatches of the Season, I think it would be improper and irregular to make any Alteration in it at this Time.

a 4 n^o 34

I do not recollect any Order which authorizes General Stibbert to draw a fixed Sum for Secret Service. This is an Expence in its Nature variable; and the Court of Directors, in their Letter of the 24th December 1776, have expressly directed, that it shall not be fixed, but that "Colonel Stibbert" (that is, the Commander in the Field) "shall be paid such Expences as shall appear to us to have been necessarily incurred by him, from Time to Time, on that Account."

I apprehend that this is a Service which will properly and exclusively belong to the Commander in Chief, whenever his Situation will enable him to assume the Charge of it; and that General Stibbert should be accordingly directed to conform to his Orders respecting it.

Respecting the incidental Charges of the Commander in Chief when he is in the Field, or, which in this Point will be equivalent, when he is absent from the Presidency, I shall premise the following Observations.

1st. The present Allowances drawn by Brigadier General Stibbert are as follows:

Pay as Brigadier General, £. 750 per Annum, or	7,500
Table Expences in the Field	60,000
Contingent Expences in the Field	36,000
Commission on the Revenues, C ^d 21,368, or	19,250
Sonant R ^d	1,22,750

a 4 n^o 34

I do not reckon the Allowance for Secret Service, because I regard it as a Public Charge, in which he has no Interest or other Concern than faithfully to disburse what he draws.

2d. Of the above Establishment the following Sums have been allotted to General Stibbert by the express Appointment of the Court of Directors:

Pay as Brigadier General	7,500
Table Charges in the Field	60,000
Commission on the Revenues at that Time, as I find it computed in Mr. Francis's Minute of the 14th May 1778, C ^d 24,486, or	22,059
Sonant R ^d	89,559

A P P E N D I X, N° 8.

3d. The Salary allowed to the Commander in Chief, by the fundamental Regulations of this Government, is £. 6,000 per Annum, or Rupees 60,000.

4th. This Sum is expressed to be in lieu of all Charges and Contingencies in the Field; but the Court of Directors have since granted to their First Colonel on this Establishment, as I have remarked above, an annual Stipend of 89,559 Rupees; a Sum exceeding that of the Commander in Chief by nearly 50 per Cent.

But it cannot be supposed that the Court of Directors ever meant to invert the Order of the Service; and that in so great a Degree, as to make so partial and unjust a Distinction between an Officer, placed, not by Selection, but by casual Succession, at the Head of a single Establishment, and the Commander in Chief of all the British Forces in India: Therefore, when they passed these Grants to Colonel, now General Stibbert, they virtually established a Precedent for a proportionate Augmentation of the Allowances of the Commander in Chief; for it cannot be disputed, that his unavoidable Expences in the Discharge of the various Duties annexed to his Station, must greatly exceed those of General Stibbert in a limited Command; and I will presume, that had it been at the same Time proposed to ascertain the Allowances of the Commander in Chief, they would have augmented them proportionably.

On the premised Ground I move,

1st, That the Commander in Chief be allowed to draw for the Expences of his Table when he is in the Field, the Monthly Sum of 7,500 Sonaut Rupees, or 90,000 Rupees per Annum.

2d, That the Commander in Chief be authorized to draw for the following Establishment for himself and his Staff when he is in the Field, in lieu of travelling and all incidental Charges whatever, when in the Field.

Establishment for General Coote and his Staff.

12	Budgerows	—	150	—	1,800
30	Boats	—	40	—	1,200
10	Elephants	—	75	—	750
200	Coolies	—	5	—	1,000
28	Hircarrahs	—	7	—	196
1	Head Ditto	—	30	—	30
1	Naib	—	15	—	15
50	Lascars	—	8	—	400
1	Serang	—	20	—	20
2	Tindals	—	15	—	30
4	Hackeries	—	30	—	120
2	Gurymen	—	778	—	15
2	Writers	—	—	—	150
	Stationary	—	—	—	200
12	Horses	—	—	—	360
S ^r R ^r					6,326

The Sums which I have annexed to the Establishment, are added merely to shew the computed Amount of it, but are not taken from any correct Authority, nor meant to be a Part of the Proposition. If this Motion shall be agreed to, it will be the Province of the Commissary General to affix the Rates of Expence to each Article; and I shall propose, that they be referred to him for that Purpose.

Mr. Francis—On the Principles on which the Opinion I have already given was founded, I have much more Reason to object to the Establishment now proposed, than to the Commander in Chief's first Propositions. All the Allowances granted to General Stibbert, as Commander in Chief or otherwise, and which I have constantly objected to as excessive, are to be continued, and at the same Time a totally new Establishment created, amounting to the Monthly Charge of Current Rupees 15302. 7. 3. or 1,83,629. 7. 0. per Annum. I am against the Motion.

Mr. Barwell—I cannot concur in Opinion with Mr. Francis, that the proposed Establishment is a double one. I do not understand these Allowances are to be drawn upon any other Occasion than that for which it is expressed, for the General's Expences in the Field. There is no immediate Call, that I know of, upon the Commander in Chief to leave the Presidency; and before a Month is passed, we shall, in all Probability, receive the Orders of the Court of Directors, whether Brigadier General Stibbert is to draw the Allowances which he is now entitled to receive, or whether they are to cease: In either Case, the Necessity of the Establishment now proposed for the Commander in Chief of all the Company's Forces, is but a single Establishment. Nor is this a Monthly Establishment; or, if it was, is it of the Extent stated: It is an Establishment only to be drawn when the Public Service calls the Commander in Chief from the Presidency. That it will be drawn, I admit; but it is not probable it will be drawn through the whole Year: Besides, it is a Charge limited to a specific Sum, but does not necessarily include the Expenditure of the whole Amount. I agree to the Proposition.

Governor General—I agree to the Proposition.

Resolved, That the Commander in Chief of the Company's Forces in India be allowed to draw for

A P P E N D I X, N^o 8.24th 33

the Expences of his Table when he is in the Field, the Monthly Sum of Seven thousand Five hundred Sonaut Rupees, or Ninety thousand Rupees per Annum.

Resolved, That the Commander in Chief of the Company's Forces in India, be allowed to draw for the following Monthly Establishment for himself and his Staff when he is in the Field, in lieu of travelling and all incidental Charges whatever, when in the Field:

- 12 Budgerows,
- 30 Boats,
- 10 Elephants,
- 200 Coolies,
- 28 Hircarrahs,
- 1 Head D^o,
- 1 Naib,
- 50 Lascars,
- 1 Serang,
- 2 Tindals,
- 4 Hackeries,
- 2 Gurrymen,
- 2 Writers,
- Stationary,
- 12 Horses.

Ordered, That this Establishment be referred to the Commissary General, with Directions to affix the Rates of Expence to each Article specified therein.

Mr. Wheler having delivered the following Minute, on the foregoing Proceedings being shewn to him by the Secretary, it is entered in this Place for the Sake of Connection:

16th April 1779.

Mr. Wheler—The Arguments made use of by the Governor General, to evince the Necessity of an Augmentation of Allowances to the Commander in Chief when in the Field, are by no Means sufficient to obviate those Objections which, from a perfect Knowledge of the Regulations alluded to, suggest themselves to my Mind.

In the first Place, the Allowance to the Commander in Chief, by the fundamental Regulations of this Government, was not an Act of the Court of Directors, but of the Proprietary at large, convened together for that Purpose, and by their Orders communicated to their Servants in Bengal by the executive Part of their Constitution, the Court of Directors: Thence it appears to me neither optional in the Court of Directors to increase or diminish an Allowance voted to their Commander in Chief by a General Court of Proprietors; for if it was, with the same Degree of Propriety that the Court of Directors could revoke the Orders of their Constituents, by augmenting an Allowance fixed as above, to their Commander in Chief, they might revoke any and every Act of the Proprietors at large.

It naturally follows, that the Court of Directors do not in themselves possess the Power of altering the Allowance fixed to the Office of Commander in Chief; and it is equally conclusive with me, that no such Power can possibly be vested in our Board.

But, even admitting their Power, it is plain, from the Fifth Paragraph of their General Letter, dated 7th May 1778, by the Stafford, that it was not their Intention to deviate from the established Allowance granted to their late Commander in Chief.

Without entering therefore into the Detail of this Business, or expressing my Disapprobation of the Enormity of each particular Article of Increase, I shall content myself with objecting to any further Allowances being made to Lieutenant General Sir Eyre Coote, than the Court of Directors have, in the 60th Paragraph of their General Letter, dated 29th March 1774, directed to be paid to Lieutenant General Sir John Clavering; an Extract of which I shall here subjoin.

“ And that there be paid to him the Sum of Six thousand Pounds Sterling per Annum, in full for his Services as Commander in Chief, and in lieu of travelling Charges, and of all other Advantages and Emoluments whatever, except his Salary of Ten thousand Pounds per Annum, established by Law, and ordered to be paid him as one of the Council at Fort William in Bengal.”

Extract of the Proceedings of the Board of Inspection at Fort William in Bengal, the 22d April 1779.

Governor General—As strong Objections have been made to the Allowances which were granted, in the Consultation of the 12th Instant, to the Commander in Chief when in the Field; and as the Court of Directors may be desirous of forming their Judgment on the Propriety of this Resolution, on a Comparison of the Amount of these limited Appointments with the various Articles of fixed and contingent Allowances drawn by his Predecessors in the chief Command of the Military Establishment of this Presidency when in the Field; I move, that the Military Paymaster General be directed to compile, and lay before the Board, Abstract Accounts of all the Allowances and contingent Charges, of whatever Nature, which were drawn by the respective Commanders in Chief, since the Year 1763 to the Commencement of General Stibbert's Command; specifying the gross Amount of each Article drawn

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drawn by each Commander in Chief respectively, the Time for which it was drawn, and the Amount of such Parts of the general Charges of the Army as were appropriated to the particular Use of the Commander in Chief, as Elephants, Camels, Bullocks, Coolies, &c. appropriated to the Service of the Commander in Chief.

Mr. Wheeler—Agreed.

Mr. Francis—The Governor General's Motion for extra Allowances to the Commander in Chief, does not confine them to the Field; but expressly states, his being absent from the Presidency as equivalent, *in this Point*, to his being in the Field. I deem the present Motion superfluous; because no Conclusion in favour of the Allowances granted to Sir Eyre Coote can be drawn from a Comparison of them with the Abuses of former Times. A View and Consideration of those Abuses, I presume, induced the Company to fix a precise Limitation to the Pay and Emoluments of their Commander in Chief. The whole legislative Authority of the Company was resorted to and exerted in determining General Clavering's Appointments: It is not a Question of Money merely, but of lawful Authority and Obedience; and however it may be determined here, must necessarily be resumed and re-agitated in England.

Mr. Barwell—Very proper; agreed to.

Resolved, That the Military Paymaster General be directed to compile, and lay before the Board, Abstract Accounts of all the Allowances and contingent Charges, of whatever Nature, which were drawn by the respective Commanders in Chief, from the Year 1763 to the Commencement of Brigadier General Stibbert's Command; specifying the gross Amount of each Article drawn by each Commander in Chief respectively, the Time for which it was drawn, and the Amount of such Parts of the general Charges of the Army as were appropriated to the particular Use of the Commander in Chief, as Elephants, Camels, Bullocks, Coolies, &c. appropriated to the Service of the Commander in Chief.

Extract of the General Letter from Bengal, dated the 22d April 1779.

Par. 20. Our Proceedings held in this Department on the 12th Instant, contain the Opinions of the Members of the Board upon several Propositions which were laid before us by Lieutenant General Sir Eyre Coote, respecting the Allowances enjoyed by Brigadier General Stibbert, and a Representation of the Insufficiency of his own Salary as Commander in Chief of the Company's Forces in India, for particular Duties annexed to that Station; and recommending to us to adopt such Measures as might prevent any unnecessary Expence from falling on the Company, and which would at the same Time enable him to execute the Duties incumbent upon him as their Commander in Chief, to visit the several Stations of the Troops, or to take the Field if necessary, without involving himself in Expences which he would be unable to support.

21. Referring you to those Proceedings for the Arguments used both for and against the Question, we shall only inform you in this Place, that it has been resolved to allow the Commander in Chief to draw for the Expences of his Table when he is in the Field, the Monthly Sum of 7,500 Sonaut Rupees, and an Establishment for himself and his Staff when he is in the Field, in lieu of travelling and all incidental Charges when in the Field, computed at Sonaut Rupees 6,634. 8. which Sum is not to be exceeded. And as the Articles of which this Establishment is composed are particularized on our Proceedings, it is almost unnecessary for us to remark, that the Contingent Bills which under this Establishment the Commander in Chief is authorized to draw, do not necessarily include every Article of Expence expressed, and that only such will be charged as are actually incurred for the Service.

Extract of the Proceedings of the Board of Inspection at Fort William in Bengal, the 20th May 1779.

The Military Paymaster General sends in the following Letter, and Account of Allowances drawn by the Commander in Chief, from the Year 1763 to the Year 1778.

To the Honourable Warren Hastings, Esquire, Governor General, and Members of the Board of Inspection.

Honourable Sir, and Sirs,

I have the Honour to enclose you an Abstract Account of all the Allowances and contingent Charges, &c. which have been drawn by the respective Commanders in Chief since the Year 1763, as required in your Secretary's Letter, dated the 22d of April 1779.

I should have prepared this Account sooner, but the Perusal of the Books for Sixteen Years back, rendered it a tedious Task.

Calcutta,
the 8th May 1779.

I am,

with great Respect,

Honourable Sir, and Sirs,

Your most obedient Servant,

(Signed)

William Pawson,

M^r P^r M^r G^r.

Abstract

A P P E N D I X, N° 8.

Abstract Account of all the Allowances and Contingent Charges, &c. which were drawn by the Commander in Chief, from the Year 1763 to the Year 1778, as follows:

1763.	January 1763.					
	Major Adams' Table Expences for January 1763	AR'	3,441	5	9	
	Ditto's Moonfhee	—	100	—	—	
	Writer	—	50	—	—	
	A Banyan	—	60	—	—	
		AR'	3,651	5	9	
	Batta 8 per Cent.		292	3	6	
						3,943 9 3
	February 1763.					
	Major Adams' Table Expences for February	AR'	3,441	5	9	
	Ditto's Moonfhee	—	100	—	—	
	Writer	—	50	—	—	
	A Banyan	—	60	—	—	
		AR'	3,651	5	9	
	Batta 8 per Cent.		292	3	6	
						3,943 9 3
	May 1763.					
	Major Adams' Table Expences for May	AR'	4,973	11	6	
	Moonfhee for D°, and Writer for April and May	—	300	—	—	
			5,273	11	6	
	Batta 8 per Cent.		451	14	4	
						5,725 9 10
	June 1763.					
	Major Adams' Table Allowance for June	—	5,194	14	7	
	Ditto's Moonfhee	—	50	—	—	
	Ditto's Writer	—	50	—	—	
	6 Hircarrahs	—	65	—	—	
			5,959	14	7	
						6,436 11 4
	July 1763.					
	Major Adams' Table Allowance for July	—	5,794	14	7	
	Hircarrahs to D°	—	469	—	—	
	Moonfhee to D°	—	150	—	—	
			6,413	14	7	
	Batta 8 per Cent.		513	1	10	
						6,927 — 5
	August 1763.					
	To Hircarrahs with the Commander in Chief	—	1,235	—	—	or
						1,333 12 9
	September 1763.					
	Hircarrahs attending the Commander in Chief	—	203	2	6	
	Moonfhee for the Commander in Chief	—	150	—	—	
			353	2	6	
	Batta 8 per Cent.		28	4	—	
						381 6 6

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1763.

October 1763.

Hircarrahs attending Major Adams for October	—	832	8	—
Moonshee and Writer to Major Adams for D°	—	150	—	—
Mr. Grant's Bill for Stationary for the Commander in Chief	—	142	8	—
		1,125	—	—
Batta 8 per Cent.		90	—	—

1,215 — —

November 1763.

Major Adams' Table Allowance for the Months of August, September, and October 1763	—	26,642	7	9
Moonshee and Writer to D° for November	—	150	—	—
		26,792	7	9
Batta 8 per Cent.		2,141	9	—

28,934 — —

December 1763.

Major Adams' Budgerow for December	—	198	8	—
Lafcars employed with Major Adams	—	33	—	—
Major Adams' Table Allowance for November and December 1763	—	11,346	—	—
		11,577	8	—
Batta 8 per Cent.		926	3	2

12,503 11 2

1764.

March 1764.

Hircarrahs attending the Commander in Chief for March	—	1,007	—	—
Present to Ditto for the Intelligence, &c. in D°	—	956	—	—
		1,963	—	—
Batta 8 per Cent.		157	—	—
		2,120	—	—

Major Carnac's Table Allowance for March 1764	—	6,697	—	—
Ditto's Moonshee D°	—	200	—	—
		6,897	—	—
at 8 per Cent.		551	12	1

7,448 12 1

9,563 12 1

April 1764.

Hircarrahs attending the Commander in Chief	—	1,100	—	—
Present to D° for Secret Intelligence, &c.	—	1,360	—	—
Major Carnac's Table Allowance for April	—	8,631	8	—
Moonshee and Writer for D°	—	200	—	—
		11,291	8	—
Batta 8 per Cent.		903	5	6

12,194 13 6

L 1 2

May

A P P E N D I X, N° 8.

1764.

May 1764.

Pay and Allowance for Hircarrahs attending the Commander in Chief for May 1764	—	—	—	923	—	—
Present to Hircarrahs for Secret Intelligence	—	—	—	1,035	—	—
Major Carnac's Table Allowance for May	—	—	—	7,951	—	—
D's Moonflee, for D*	—	—	—	200	—	—

10,109 12 —

Batta 8 per Cent. 808 12 5

10,918 8 5

July 1764.

Hircarrahs attending the Commander in Chief	—	—	—	776	—	—
Major Carnac's Table Allowance	—	—	—	8,153	—	—

8,929 — —

Batta 8 per Cent. 714 5 1

9,643 5 1

August 1764.

Hircarrahs attending the Commander in Chief	—	—	—	880	—	—
Major Munro's Table Allowance	—	—	—	7,364	8	—

8,244 8 —

Batta 8 per Cent. 659 8 11

8,904 — —

September 1764.

Hircarrahs attending the Commander in Chief	—	—	—	1,069	—	—
Secret Intelligence	—	—	—	153	—	—
Major Munro's Table Allowances	—	—	—	4,497	8	6

5,719 8 6

Batta 8 per Cent. 457 9 —

6,177 1 6

October 1764.

Repairing a Garden for the Commander in Chief	—	—	—	1,437	—	—
Hircarrahs attending the Commander in Chief	—	—	—	1,174	8	—
Major Munro's Table Allowance	—	—	—	4,966	14	—

7,578 6 —

Batta 8 per Cent. 606 4 3

8,184 10 3

November 1764.

Hircarrahs attending the Commander in Chief	—	—	—	1,145	—	— or
---	---	---	---	-------	---	------

1,236 9 —

December 1764.

Hircarrahs attending the Commander in Chief	—	—	—	1,202	—	—
Major Munro's Table Allowance	—	—	—	5,344	—	—

6,546 — —

at 8 per Cent. 523 11 2

7,069 15 2

February

A P P E N D I X, N° 8.

1765.

February 1765.

Hircarrahs attending the Commander in Chief for December

1764	—	—	—	683	8	—
D°	D°	D° in January 1765	—	1,375	—	—
D°	D°	D° in February D°	—	1,275	—	—
General Carnac's Table Allowance for January				8,794	—	—
				12,127	8	—
Batta 8 per Cent.				970	3	2

13,097 11 2

March 1765.

Major Munro's Bill for Servant's Wages, &c.				700	—	—
D°	D°	D° in March	—	445	14	—
				1,145	14	—
Batta 11 per Cent.				91	10	8

1,237 8 8

April 1765.

General Carnac's Table Allowance for February and March				18,292	8	11
D°	D°	D° for April	—	7,698	—	—
Pay and Batta to 2 Moonshees and 1 Writer to Major Carnac				1,060	—	—
				27,050	8	11
General Carnac's Bill for Way Charges from Patna to Camp				1,051	8	—
				28,102	—	11
Batta 8 per Cent.				2,248	2	7

30,350 3 6

June 1765.

General Carnac's Table Allowances for June				7,440	—	—
--	--	--	--	-------	---	---

July 1765 and August 1765.

General Carnac's Moonshee in June, July, and August				880	—	—
D°s Table Allowance for May and July 1765				14,540	—	—
				15,420	—	—
Batta 8 per Cent.				1,233	9	7

16,653 9 7

September 1765.

General Carnac's Table Allowance from 1st of August 1765 to 15th September 1765				9,388	—	—
D° for 2 Moonshees and a Writer for September				320	—	—
				9,708	—	—
Batta 8 per Cent.				776	10	2

10,484 10 2

A P P E N D I X, N° 8.

1766.

April 1766.

Paid for carrying the Commander in Chief's Baggage in November and December 1765 — — — 773 15 — — or

835 13 7

1767.

July 1767.

Paid for Boat attending the Commander in Chief in May 1,222 — —
Paid for a Budgerow for the Use of the Commander in Chief — — — 500 — —
Hircarrahs employed with the Commander in Chief — — — 1,086 — —
Batta 11 per Cent. 2,808 — —
308 14 —

3,116 14 —

1768.

March 1768.

Paid for a Moonsthee for the Commander in Chief — 170 — — or

188 11 2

August 1768.

Amount advanced by the Commander in Chief for August 10,000 — —
Amount advanced the Commander in Chief, D° D° — 77,700 — —

87,700 — —

October 1768.

Paid for Carpets and Setrenges for the Commander in Chief's Quarters — — — — 640 — — or

710 6 4

December 1768.

Allowance to the Commander in Chief for Moonsthee, &c. 1,350 — —
Hircarrahs to D° for November and December — — — 835 — —
Batta 11 per Cent. 2,185 — —
240 5 7

2,425 5 7

1769.

January 1769.

Moonsthee to the Commander in Chief — — — 270 — —
Hircarrahs to D° — — — 421 — —
Batta 11 per Cent. 691 — —
76 — 1

767 — 1
February

A P P E N D I X, N^o 8.

1769.

February 1769.

Hircarrahs with the Commander in Chief	—	400	—	—
Moonshce with D ^o	—	270	—	—
		670	—	—
Batta 11 per Cent.		73	11	2

743 11 2

March 1769.

Lascars employed with the Commander in Chief	—	958	12	—
Boats employed with D ^o for October, November, and December 1768	—	2,611	6	—
Hircarrahs with the Commander in Chief in October 1768	—	330	—	—
		3,899	2	—
Batta 11 per Cent.		428	14	5

4,328 — 5

May 1769.

Four Extra Drivers with the Commander in Chief	—	28	—	—
Hircarrahs with Ditto	—	656	—	—
		684	—	—
Batta 11 per Cent.		75	3	10

759 3 10

June 1769.

Boats with the Commander in Chief	—	1,791	—	—
-----------------------------------	---	-------	---	---

1,988 — 1

September, 1769.

Hircarrahs with the Commander in Chief in July and August	—	708	—	—
---	---	-----	---	---

785 14 —

December 1769.

Paid for Three Budgerows Hire in the Month of November and December, for the Use of the Commander in Chief	—	900	—	—
Paid Mangies Dandies Wages, Lascars, Beesties, &c. employed with the Commander in Chief for December	—	378	—	—
		1,278	—	—
Batta 11 per Cent.		140	9	3

1,418 9 3

1770.

May 1770.

Hircarrahs employed with the Commander in Chief	—	334	—	—
Paid for a Book-case for the Use of the Commander in Chief	—	300	—	—
		634	—	—
Batta 11 per Cent.		69	11	10

703 11 10

June 1770.

Amount advanced, to the General Sir Robert Barker	—	20,000	—	—
Hircarrahs with the General, 290	—	321	14	4

20,321 14 4
July

M m 2

A P P E N D I X, N° 8.

1770.

July 1770.

Hircarrahs with the Commander in Chief	—	300 — —	or	333 — —
--	---	---------	----	---------

October 1770.

Hackary Hire for the General's Use	—	80 — —		
Paid for 2 Chests of Stationary for the Use of the Commander in Chief	—	799 — —		
Paid General Sir Robert Barker for Table Expences as Commander in Chief, from 1st of December 1769 to the 30th of June 1770, at a Medium of 5,000 Rupees per Month	—	35,000 — —		
Paid D° for Secret Intelligence from 1st December 1769 to 30th June 1770	—	3,000 — —		
Paid for Dawk Hircarrahs, &c. employed with the Commander in Chief in July, August, September, and October	—	406 — —		
		39,285 — —		
Batta 11 per Cent.		4,321 5 7		43,606 5 7

November 1770.

Paid for Writer, Stationary, and Candles, for the Use of the Commander in Chief, for October and November 1770	—	520 — —		
Paid Sir Robert Barker, General, for Expences incurred for Secret Intelligence received	—	2,000 — —		
		2,500 — —		
Batta 11 per Cent.		277 3 2		2,797 3 2

December 1770.

Paid Sir Robert Barker's Table Expences as Commander in Chief, from 1st July to 31st December, at a Medium of 5,000 Rupees per Month	—	30,000 — —	or	33,000 — —
--	---	------------	----	------------

1771.

March 1771.

Paid for 1 Jemmedar, 8 Beesties, and 4 Gurrymen, employed with the Commander in Chief	—	100 — —	or	111 — —
---	---	---------	----	---------

April 1771.

Paid for Hircarrahs employed with the Commander in Chief for February, March, and April 1771	—	345 — —		
Paid for 1 Jemmedar, 12 Beesties, and 4 Gurrymen, with the Commander in Chief in April	—	106 — —		
Paid for Hackerries, Coolies, Bullocks, &c. employed for the Use of the Commander in Chief	—	2,024 — —		
Paid for Hircarrahs employed with the Commander in Chief	—	330 — —		
		2,805 — —		
Batta 11 per Cent.		308 8 9		3,113 8 9

May

A P P E N D I X, N° 8.

1771.

May 1771.

Paid for Dawk Hircarrahs employed with the Commander in Chief	—	—	—	115	—	—
Paid for extraordinary Pay to Dawk Hircarrahs employed with the Commander in Chief	—	—	—	60	—	—
Paid for Hircarrahs with the Commander in Chief	—	—	—	330	—	—
				505	—	—
Batta 11 per Cent.				55	8	9

560 8 9

June 1771.

Paid for extraordinary Pay to Dawk Hircarrahs employed without the Provinces with the Commander in Chief	—	—	—	20	—	—
D° D° for Dawk Hircarrahs D°	—	—	—	115	—	—
D° D° for Beesties and Gurrymen employed	—	—	—	136	—	—
D° D° for Wax Cloth for the Dawks	—	—	—	12	—	—
Paid for Hircarrahs employed with the Commander in Chief	—	—	—	330	—	—
				613	—	—
Batta 11 per Cent.				67	6	10

680 6 10

July 1771.

Paid for Dawk Hircarrahs employed with the Commander in Chief	—	—	—	—	—	145
Paid for Hircarrahs employed with the Commander in Chief	—	—	—	—	—	330
D° D° for Beesties and Gurrymen D°	—	—	—	—	—	136
D° D° for Wax Cloth for Dawks	—	—	—	—	—	12
						623
Batta 11 per Cent.						68 8 5

691 8 5

August 1771.

Pay to Lascars with the Commander in Chief in July 1771	—	—	—	78	—	—
Pay to those Artificers employed by the Commander in Chief, in July	—	—	—	50	—	—
				128	—	—
Batta 11 per Cent.				14	1	3

142 1 3

September 1771.

Paid for Coolies and Sweepers, Hackeries, &c. employed with the Commander in Chief in May, June, July, August, and September 1771	—	—	—	—	—	4,022 1
Paid for Dawk Hircarrahs employed with the Commander in Chief in August and September	—	—	—	—	—	288
D° for Hircarrahs employed with the Commander in Chief in August and September	—	—	—	—	—	750
D° for Beesties and Gurrymen in August and September 1771	—	—	—	—	—	236
D° for extra Hircarrahs in April, May, June, and July	—	—	—	—	—	207
D° for Wax Cloth, Paper, Twine, Sealing Wax, and for the Dawk in August and September	—	—	—	—	—	24
						5,527 1
Batta 11 per Cent.						607 15 7

6,135 — 7

A P P E N D I X, N° 8.

1771.

October 1771.

Paid for Hircarrahs employed with the Commander in Chief -	293	—	—
D° for Dawk Hircarrahs D°	—	—	115
D° for Beesties and Gurrymen D°	—	—	100
Paid for Wax Cloth, Twine, &c. for the Dawks with the Commander in Chief	—	—	12
Paid for a lined Marqué for the Use of the Commander in Chief's Family	—	—	500
			1,020
Batta 11 per Cent.	112	3	2

1,132 3 2

November 1771.

Paid for a Chest of Stationary supplied for the Use of the Commander in Chief	—	—	600
Paid for refitting Quarters for the Commander in Chief's Office, in June	—	—	737 9 2
D° for Oil, Charcoal, &c. in D°	—	—	43 14
			1,381 7 2
At 11 per Cent.	151	15	4

1,533 6 6

1772.

March 1772.

Paid for Sweepers employed with General Sir Robert Barker, from 1st September 1771 to 31st March 1772	—	—	139 8
Paid for Coolies, Hackeries, Camels, and Bullocks, employed with General Sir Robert Barker in February and March 1772	—	—	1,475 13
D° for Cooley Hire for D° D°, in February and March	—	—	2,067 2 8
Paid for private Hircarrahs with the Commander in Chief, in January, February, and March 1772	—	—	769 8
D° for Dawk Hircarrahs, D° D° D° D°	—	—	345
D° for Stationary for the Dawk in D° D°	—	—	36
			11,832 15 8
At 11 per Cent.	1,301	10	—

13,134 9 8

April 1772.

Paid Sir Robert Barker, his Bill for his Salary as Commander in Chief, from the 1st of December 1769 to the 1st of December 1771 — AR ^s 12,000 or CR ^s	12,960	—	—
Paid Sir Robert Barker his Bill for his Salary as Commander in Chief, from 1st December 1769 to 1st of December 1771, at £.750 per Annum	11,675	10	9
Paid General Sir Robert Barker for his Table Allowance, &c. from 1st of January 1771 to 31st December following, Sonaut Rupees 60,000	66,600	—	—
Paid for Dawk Hircarrahs with the Commander in Chief	—	—	995
D° for Charges incurred on Account of the Commander in Chief's Equipage, in April, May, June, and July 1771	1,524	8	—
D° for Coolies and Hackeries with the Commander in Chief	—	—	1,374

SEL. COM. REP. V.

N n

April

A P P E N D I X, N^o 8.

1772.

Paid Lieutenant Nichols for refitting the Commander in Chief's Quarters at Allahabad in December

1771	—	—	—	822	12	3
				4,676	4	3
				514	6	3
						5,190 10 16

At 11 per Cent.

96,426 5 3

May 1772.

Paid for Coolies employed as Lascars at Head Quarters, and Hackeries Hire, &c. employed with the Commander in Chief in April and May 1772

	—	—	—	636	—	—
				728	—	—
				415	—	—

At 11 per Cent.

1,974 11 —

July 1772.

Paid Quarter Master Nichols for repairing the Commander in Chief's Quarters, in January and February 1772

1,968 1 1

2,184 8 10

August 1772.

General Sir Robert Barker's Table Expences as Commander in Chief for January, February, March, April, May, and June 1772, at 5,000 per Month

	—	—	—	30,000	—	—
				8,000	—	—
				544	—	—

At 11 per Cent.

42,783 13 5

September 1772.

Paid for Dawk Hircarrahs with the Commander in Chief in July and August

	—	—	—	230	—	—
				296	—	—
				1,733	—	6

At 11 per Cent.

2,507 8 4

October 1772.

Paid for Private Dawk Hircarrahs with the Commander in Chief

325 — — or

360 12 —

N n 2

November

A P P E N D I X, N° 8.

1772.

November 1772.

Paid for building Bungalow for the Use of the Commander in Chief
and his Family, at Shabad — — 1,173 13 3 — or

1,302 15 2

December 1772.

Paid Commander in Chief's Bill for Secret Intelligence, from 1st of July
to 31st December 1772 — — — 5,000 — —

General Sir Robert Barker, as Commander in Chief of
the Honourable Company's Forces in Bengal under
the Presidency of Fort William, from July to
31st December 1772 — — — 30,000 — —

35,000 — —

At 11 per Cent.

3,850 — —

38,850 — —

1773.

January 1773.

Paid for Window Glasses furnished the General's House at Dinapore, by
Order of General Sir Robert Barker, in the Year 1770 - 911 13 4 — or

1,012 2 1

1774.

January 1774.

Paid Colonel Chapman, as Commander in Chief, his Table Allowance,
for this Month — — — 5,000 — —

Paid for Hircarrahs and Gurrymen employed with the
Commander in Chief in October and November 1773 548 — —

Paid General Sir Robert Barker, Commander in Chief
of the Forces, for Table Allowance in July, August,
September, October, November, and December 1773,
at 5,000 per Month — — — 30,000 — —

Paid for Secret Intelligence — — — 3,000 — —

Paid Captain Cockerell's Bill for Bearers furnished the
Commander in Chief — — — 141 5 —

38,689 5 —

At 11 per Cent.

4,255 13 2

42,945 2 2

February 1774.

Paid Table Allowance to the Commander in Chief — 5,000 — —

5,550 — —

March 1774.

Paid Table Allowance to the Commander in Chief — 5,000 — —

5,550 — —

April 1774.

D°

D°

D°

5,000 — —

5,550 — —

10

May

A P P E N D I X, N° 8.

1774.

May 1774.

Allowance of Table to the Commander in Chief	—	5,000	—	—	
For Stores supplied to the Commander in Chief	—	100	—	—	
	S ^r R ^s .	5,100	—	—	or 5,661 — —

June 1774.

Allowance of Table to the Commander in Chief	—	5,000	—	—	or 5,550 — —
--	---	-------	---	---	--------------

July 1774.

Table Allowance to the Commander in Chief	—	5,000	—	—	
Paid for Writer, Stationary, and Candles, for the Use of the Commander in Chief's Office, in February and March	—	520	—	—	
Paid for 1 Serang, 2 Tindals, and 34 Lascars, with the Commander in Chief for February, March, April, May, and June 1774	—	1,409	—	—	
Paid for 6 Tents for the Commander in Chief's Family, at 275 each	—	1,650	—	—	
Paid for 1 D ^o , for the D ^o 's Office	—	215	—	—	
		8,794	—	—	
	At 11 per Cent.	967	5	5	9,761 5 5

August 1774.

Paid for Lascars with Commander in Chief	—	558	—	—	
D ^o for Artificers and Coolies, with D ^o	—	2,030	8	11	
D ^o to 2 Quarter Master Serjeants and 3 Camp Colourmen, employed with the Commander in Chief	—	138	—	—	
		3,726	8	11	
	At 11 per Cent.	409	14	8	4,136 7 7

September 1774.

Pay to Artificers employed with the Commander in Chief	37	—	—	or 41 1 1
--	----	---	---	-----------

December 1774.

Commander in Chief's Salary for 11 Months, at 6,000 per Year	—	5,500	—	—	
Table Allowance to the Commander in Chief, for September, October, November, and December	—	20,000	—	—	
Pay to those Artificers with the Commander in Chief in October	—	279	—	—	
Paid for Dawk Expences out of the Provinces with the Commander in Chief, in June, July, August, September, and October 1774	—	14,065	—	—	
		39,844	—	—	
	At 11 per Cent.	4,382	13	5	44,236 13 5

1775.

May 1775.

Allowance to General Clavering as Commander in Chief of the Forces from the 21st September 1774, to the 31st May at £. 6,000 per Annum, Exchange at 2s. per Current Rupee	—				41,666 10 6 June
---	---	--	--	--	------------------

A P P E N D I X, N° 8.

June 1775.

1775.	Allowance to General Clavering, as Commander in Chief, for June	—	5,000	—	—
	July 1775. Allowance to Gen ^l Clavering, as Commander in Chief, for July	—	5,000	—	—
	August. D° D° D° D° for Aug ^t	—	5,000	—	—
	September. D° D° D° D° for Sept ^r	—	5,000	—	—
	October. D° D° D° D° for October	—	5,000	—	—
	November. D° D° D° D° for Nov ^t	—	5,000	—	—
	December. D° D° D° D° for Dec ^r	—	5,000	—	—
1776.	January 1776. D° D° D° D° for January	—	5,000	—	—
	February. D° D° D° D° for February	—	5,000	—	—
	March. D° D° D° D° for March	—	5,000	—	—

April 1776.

Allowance to General Clavering, as Commander in Chief, for April — — — 5,000 — —

Table Allowance to Colonel Stibbert, as Commander in the Field, from 6th November 1775 to the End of January 1776 — — — 14,000 — —
 D° D° D°, for February, March, and April — — — 15,000 — —

29,000 — —

Paid Colonel Stibbert on Account of Secret Intelligence of the Commander in Chief in the Field, in January — — — 1,975 — —
 D° D° D° D°, in February — — — 2,000 — —
 D° D° D° D°, in March — — — 2,250 — —
 D° D°, for Budgerows and Boats employed for the Service in the Field in January — — — 850 — —
 D° D°, for D° D° D° D°, February — — — 850 — —
 D° D°, for D° D° D° D°, March — — — 1,073 — —
 D° D°, for Coolies, Sweepers, and Gurrymen, in the Service of the Commander in Chief in the Field in January — — — 450 — —
 D° D° D° D°, in February — — — 480 — —
 D° D° D° D°, in March — — — 650 — —
 D° D°, for Writers and Stationary for the Service of the Commander in Chief in the Field, in January — — — 350 — —
 D° D° D° D° D°, February — — — 300 — —
 D° D° D° D° D°, March — — — 310 — —
 D° for Lafcars employed in the Service of the Commander in Chief in the Field, in January — — — 279 — —
 D° D° D° D°, in February — — — 279 — —
 D° D° D° D°, in March — — — 317 — —
 D° Pay to Hircarrahs in the Field, in January — — — 459 — —
 D° D° D° D°, in February — — — 479 — —
 D° D° D° D°, in March — — — 510 — —
 D° Charges for Hircarrahs for the Service of the Commander in Chief in the Field, in January — — — 150 — —
 D° D° D° D°, in February — — — 150 — —
 D° D° D° D°, in March — — — 186 — —

A P P E N D I X, N^o 8.

1776. Paid Colonel Stibbert for Moonshée's and Sircar's Wages, &c. in the Service of the Commander in Chief in the Field, in January										—	—	350	—	—				
D° D° D° D°, in February										—	—	350	—	—				
D° D° D° D°, in March										—	—	375	—	—				
D° Pay to Beesties, for the Services of the Commander in Chief in the Field, in January										—	—	150	—	—				
D° D° D° D°, in February										—	—	150	—	—				
D° D° D° D°, in March										—	—	168	—	—				
												44,890	—	—				
At 11 per Cent.										—	—	4,937	14	4				
															49,827	14	4	
																54,827	14	4
May 1776.																		
Salary to General Clavering for May										—	—	—	—	—		5,000	—	—
June 1776.																		
Salary to General Clavering as Commander in Chief										—	CR°	5,000	—	—				
Paid General Stibbert, for Secret Intelligence for April and May										—	—	2,666	2	8				
At 11 per Cent.										—	—	293	4	5				
															2,959	7	1	
																7,959	7	1
July 1776.																		
Salary to General Clavering for July										—	CR°	5,000	—	—				
Table Allowance to Colonel Stibbert, as Commander in the Field										—	—	5,000	—	—	or 5,550	—	—	
																10,550	—	—
August 1776.																		
Salary to General Clavering, for August										—	CR°	5,000	—	—				
Table Allowance to Colonel Stibbert, as Commander in the Field, for August										—	—	5,000	—	—	or 5,550	—	—	
																10,550	—	—
September 1776.																		
Salary to General Clavering, for September										—	CR°	5,000	—	—				
Table Allowance to Colonel Stibbert, as Commander in the Field, for May and June										—	—	10,000	—	—				
Secret Intelligence allowed by the Board of Inspection, for June, July, and August										—	—	3,999	4	—				
												13,999	4	—				
At 11 per Cent.										—	—	1,539	14	8				
															15,539	2	8	
																20,539	2	8
October 1776.																		
Salary to General Clavering, for October										—	CR°	5,000	—	—				
Table Allowance to Colonel Stibbert										—	—	5,000	—	—	or 5,550	—	—	
																10,550	—	—
November																		

A P P E N D I X, N° 8.

1776.

November 1776.

Salary to General Clavering, for November	— CR ^s	5,000 — —	
Table Allowance to Colonel Stibbert	5,000 — —	or 5,550 — —	
			10,550 — —

December 1776.

Salary to General Clavering, for December	— CR ^s	5,000 — —	
Table Allowance to Colonel Stibbert	5,000 — —		
Paid Colonel Stibbert's Contingencies incurred on Account of Bearers for his Conveyance from Mirzapore to Belgram, by Order of the Board, 25th April	—	4,756 9 3	
		9,756 9 3	
Allowance to D ^o for Secret Intelligence		1,333 1 4	
		11,089 10 7	
At 11 per Cent.	—	1,219 13 9	
		12,309 8 4	
			17,309 8 4

January 1777.

1777. General Clavering's Salary for January	— Current Rupees	5,000 — —	
Table Expence to Colonel Stibbert, for D ^o	5,000 — —		
Secret Intelligence to D ^o for D ^o		1,333 1 4	
		6,333 1 4	
At 11 per Cent.	—	696 10 2	
		7,029 11 6	
			12,029 11 6

February 1777.

General Clavering's Salary for February	— CR ^s	5,000 — —	
Table Allowance to Colonel Stibbert, for D ^o	—	5,000 — —	
Paid D ^o , for Secret Intelligence	—	1,333 1 4	
		6,333 1 4	
At 11 per Cent.	—	696 10 2	
		7,029 11 6	
			12,029 11 6

March 1777.

General Clavering's Salary for March	— CR ^s	5,000 — —	
Table Allowance to Colonel Stibbert	5,000 — —		
Paid D ^o for Secret Intelligence	—	1,333 1 4	
		6,333 1 4	
At 11 per Cent.	—	696 10 2	
		7,029 11 6	
			12,029 11 6

April 1777.

General Clavering's Salary for April	— CR ^s	5,000 — —	
Table Expence to Colonel Stibbert	—	5,000 — —	
Paid D ^o , for Secret Intelligence	—	1,333 1 4	
		6,333 1 4	
At 11 per Cent.	—	696 10 2	
		7,029 11 6	
			12,029 11 6

A P P E N D I X, N° 8.

1777.

May 1777.

General Clavering's Salary for May	—	CR ^s	5,000	—	—
Table Expences to Colonel Stibbert, D ^o	5,000	—	—	—	—
Paid D ^o , for Secret Intelligence	—	1,333	1	4	—
		6,333	1	4	—
At 11 per Cent.	—	696	10	2	—
		7,029	11	6	—

12,029 11 6

June 1777.

General Clavering's Salary for June	—	CR ^s	5,000	—	—
Table Expences to Colonel Stibbert	5,000	—	—	—	—
Paid D ^o , Secret Intelligence	—	1,333	1	4	—
		6,333	1	4	—
At 11 per Cent.	—	696	10	2	—
		7,029	11	6	—

12,029 11 6

July 1777.

General Clavering's Salary for July	—	CR ^s	5,000	—	—
Table Allowance to Colonel Stibbert	5,000	—	—	—	—
Paid D ^o Secret Intelligence	—	1,333	1	4	—
		6,333	1	4	—
At 11 per Cent.	—	696	10	2	—
		7,029	11	6	—

12,029 11 6

August 1777.

General Clavering's Salary for August	—	CR ^s	5,000	—	—
Table Allowance to Colonel Stibbert	5,000	—	—	—	—
Paid Secret Intelligence	—	1,333	1	4	—
		6,333	1	4	—
At 11 per Cent.	—	696	10	2	—
		7,029	11	6	—

12,029 11 6

September 1777.

General Clavering's Salary for September	—	CR ^s	5,000	—	—
Colonel Stibbert's Table Allowance	5,000	—	—	—	—
D ^o Secret Intelligence	—	1,333	1	4	—
		6,333	1	4	—
At 11 per Cent.	—	696	10	2	—
		7,029	11	6	—

12,029 11 6

October 1777.

General Stibbert's Table Allowance for October	—	5,000	—	—	—
D ^o Secret Intelligence	—	1,333	1	4	—
		6,333	1	4	—
At 11 per Cent.	—	696	10	2	—
		7,029	11	6	—

7,029 11 6

November

A P P E N D I X, N° 8.

1777. November 1777.

General Stibbert's Table Allowance for November	5,000	—	—
D° Secret Intelligence	1,333	1	4
	6,333	1	4
At 11 per Cent.	696	10	2
	7,029	11	6

December 1777.

General Stibbert's Table Allowance for December	5,000	—	—
D° Secret Intelligence	1,333	1	4
	6,333	1	4
At 11 per Cent.	696	10	2
	7,029	11	6

1778. April 1778.

Pay to Brigadier General Stibbert for January	310	—	—
Table Allowance to D° for D°	5,000	—	—
Allowance to D° for Secret Intelligence	1,333	1	4
	6,643	1	4
At 11 per Cent.	730	11	9
	7,373	13	1

July 1778.

Commander in Chief's Contingent Charges, from September 1777 to December	12,000	—	—
D° from January to June 1778	18,000	—	—
D° Difference of Pay between Colonel and Brigadier General, from September to December 1777	729	4	5
D° D°, from January to May 1778	922	6	10
D° Salary for June 1778	486	7	9
D° Secret Intelligence for May	1,333	—	—
D° D° D° for June	1,333	—	—
	34,804	3	—
At 11 per Cent.	3,828	7	4
	38,632	11	4

September 1778.

Table Allowance to General Stibbert for July and August	10,000	—	—
Contingencies to General Stibbert for July and August	6,000	—	—
Paid General Stibbert's Charges for July and August	2,666	2	8
	18,666	2	8
At 11 per Cent.	2,053	4	5
	20,719	7	1

October 1778.

Table Allowance to General Stibbert for September	5,000	—	—
	5,550	—	—
Total Current R ^{rs}	11,913	15	10

Fort William,
the 8th May 1779.

Errors excepted,
(Signed) W^m Pawson,
M^r P^r M^r Gen^l.

A P P E N D I X, N° 8.

Governor General—This Account is evidently false throughout; not one of the Articles of Expence, which were enumerated in the Order to the Military Paymaster General, being fully inserted in it, or following in each Month's Expences, and many of them totally omitted. Many Months Expence were wholly omitted, and Advances which were made to the Commanders in Chief inserted as Articles of Expence; as for Instance, in the Account of August 1768 the Sum of 87,700 Rupees is set down as advanced to the Commander in Chief. I have selected the Period which I suppose to include the Expences of General Smith when he was Commander in Chief, which begin with the Month of July 1767, and end with the Month of December 1769. If the Expences of his Command, which ceased on the 14th November 1769, extended to that Period, the whole Amount set down to his Account by the Military Paymaster General is no more than Rupees 94,032. 10. 5. from which if the Sum of 87,700 Rupees be deducted, which is an Advance and not an Expence, the whole Sum of the Expences of the Commander in Chief during the Period of 28 Months, was exactly 6,332. 10. 5. or about 226 Rupees per Month. As a further Proof of the Falsity of this Account, I beg Leave to insert in this Place an Account Current, delivered in by General Smith himself in Consultation the 14th of November 1769; in which he states Advances made to him by the Paymaster of the Second Brigade, exclusive of his Drafts, amounting to 3,10,000 Rupees, and Disbursements amounting to 3,46,104. 10. 6. none of which appear in the Paymaster General's Account. I will not waste Time with further Comments on such a Performance: It would be an Absurdity to send it back for Correction. I shall forbear at this Time to take any further Notice of the Conduct of the Paymaster General in this Instance; but since he has shewn either such an Unwillingness or Incapacity to execute the Orders of the Board, I move, That Mr. Carmichael his Deputy be ordered to prepare the Account: And to prevent further Mistakes, I move, That in Addition to the Orders, he be required to add the Amount of Profits received by the Commanders in Chief from the Monopoly of Salt, and Commission on the Revenues, the former may be obtained from Mr. Killican, and the latter from the Accomptant General: And that he be likewise directed to specify the Period of each Commander in Chief's Expences, mentioning them by Name.

Extract Consultation, the 14th November 1769.

General Smith delivers in an Account of his Expences since he has had the Command of the Army. Ordered, That the Account be entered after the Consultation; and that the Military Paymaster General pay the Balance.

(Signed) W. Bruere,
Act^y Sec^y.

The Honourable Company D^y.

1766.	Octob ^r . Nazir to the King	—	—	—	—	816	—	—
1767.	April. To Maharaza Bulwand Sing,							
	An Elephant	—	—	—	3,000	—	—	
	Serpeach and Drefs	—	—	—	1,000	—	—	
						4,000	—	—
May.	Nazirs to the King for myself and Suite,					1,280	—	—
	To the Nabob Vizier Sujah ul Dowla at Allahebad,							
	5 Horfes	—	—	—	3,000	—	—	
	An Elephant	—	—	—	3,000	—	—	
	9 Trays of Kincobs, Gold Cloths, Shauls, &c.	—	—	—	2,400	—	—	
	A Culze and Serpeach	—	—	—	2,500	—	—	
						10,900	—	—
June.	The Shah Zada, or King's Son, on his paying me a Vifit,							
	Nazirs	—	—	—	336	—	—	
	5 Horfes	—	—	—	2,800	—	—	
	9 Trays of Kincobs, Gold Cloth, &c.	—	—	—	2,400	—	—	
	A Culze and Serpeach	—	—	—	1,800	—	—	
						7,336	—	—
July.	Presents to his Majesty Shah Allum, on his honouring me with a Vifit,							
	Nazirs	—	—	—	1,616	—	—	
	A rich Mufical Clock	—	—	—	1,944	—	—	
	7 Horfes	—	—	—	3,900	—	—	
	An Elephant	—	—	—	3,000	—	—	

A P P E N D I X, N^o 8.

1767.	11 Trays of Kincob, Gold and Silver Cloths, Shauls, &c.	—	—	2,945	—	—	
	A Culze of Serpeach	—	—	2,700	—	—	
							16,105 — —
	Nazir to the King at the Coronation Feast	—	—				816 — —
	Ditto, on the Birth of a Prince	—	—				336 — —
1768.	To Presents to the Nabob Vizier on my visiting him at Fyzabad,						
Jan.	An Elephant	—	—	3,000	—	—	
	5 Horses	—	—	3,500	—	—	
	Embroidered Sumpter Cloths, Gilt Bridles, Saddles, and Furniture	—	—	2,000	—	—	
	A rich Musical Clock	—	—	1,944	—	—	
	9 Trays of Kincobs, Gold and Silver Cloths, Shauls, and fine Mullins	—	—	2,600	—	—	
	A Culze and Serpeach	—	—	2,200	—	—	
							15,244 — —
	Ditto to the Vizier's Son Nabob Mirza Amany,						
	5 Trays of Kincobs, Gold Cloths, Shauls, &c.	—	—	1,370	—	—	
	Fuzees, Pistols, Gloves, Velvets, Pictures, &c.	—	—	2,000	—	—	
							3,370 — —
Feb ^{ry} .	Ditto to the Nabob Munere ul Dowla,						
	5 Trays of Kincob, &c.	—	—	1,145	—	—	
	A Culze and Serpeach	—	—	1,000	—	—	
							2,145 — —
	Ditto to the Nabob Nudjif Cawn, Mha Rajah Aget Sing, the Sons of Munere ul Dowlah and Sittab Roy, and to the Son of Nabob Afez Rhemut, one of the Rohilla Chiefs	—	—				3,975 — —
Decr.	Nazir to the King for Self and Suite	—	—				816 — —
	5 Trays Kincobs, Shauls, &c.	—	—	1,256	—	—	
	A Culze and Serpeach	—	—	1,000	—	—	
							2,256 — —
	Nazirs to the King for Self and Suite, Shah Zadah, on his paying me a Visit,						
	Nazir	—	—	255	—	—	
	5 Trays of Kincobs, Shauls, &c.	—	—	1,660	—	—	
	3 Horses	—	—	1,500	—	—	
	Fire Arms, Pictures, &c.	—	—	744	—	—	
							4,159 — —
1769.	Nazir to Nabob Mogul Allee, Brother to Nizam Allee, Subah of the Decan,						
	5 Trays of Shauls, Kincobs, &c.	—	—	1,350	—	—	
	Fuzee and Pistols	—	—	300	—	—	
							1,650 — —
	Ditto to Nabob Nudjif Cawn,						
	5 Trays of Shauls, Kincobs, &c.	—	—	1,280	—	—	
	Fuzee and Pistols	—	—	300	—	—	
							1,580 — —
	Nazir to the King on the Feast of the Ede	—	—				816 — —
	Present to the Nabob Vizier Sujah ul Dowla,						
	9 Trays of Kincobs, Shauls, and Gold Cloths	—	—	2,600	—	—	
	A Culze and Serpeach	—	—	2,000	—	—	
	An Elephant	—	—	3,000	—	—	
							7,600 — —

A P P E N D I X, N° 8.

1769.

March. Presents to the Nabob Munere ul Dowla,

2 large Lustres	—	800	—
4 Pieces of Embroidered Silk	—	1,320	—
1 Piece of Europe Silver Tissue	—	475	—
Pictures and Prints	—	400	—
		<u>2,995</u>	—

April. To Nazir to the King on the Feast of Narose

816

Presents to Mhah Rajah Aget Sing,

A Horse	—	700	—
Fuzee and Pistols	—	450	—
Serpeach	—	500	—
		<u>1,650</u>	—

June. To Presents to the Nabob Ahmet Cawn Bungift, Chief of the Pattan Tribe,

Europe Broad Cloth	—	975	—
Fuzees, Pistols, and Telescopes	—	610	—
		<u>1,585</u>	—

D° to Mha Rajah Bulwand Sing,
A Dress and Serpeach

970

D° to the Sons of Munere ul Dowla and Sittab Roy, &c. of Cloths, Shauls, &c.

850

D° to Mahraza Bulwand Sing,

A Dress and Serpeach	—	990	—
A State Palankeen	—	4,000	—
A State Howdah for an Elephant	—	3,950	—

Durbar Charges, including Presents to the Vackeels, to the King's Household Servants, to the Servants of the Vizier, and other Omrahs, and the Expences of my Decan, at 600 Rupees per Month; 36 Months, from the 1st September 1766 to the 1st September 1769.

21,600

S^t R^s

1,24,606

Calcutta,
the 11th Sept. 1769.

The Honourable Company D^r.

Total Expences during my Command of the Army, and as Commander in Chief, from the 1st of August 1769, at a Medium amounting to 5,200 Rupees per Month, 36 Months

S^t R^s 1,87,200

the 11th September 1769.

Errors excepted,
(Signed)

Richard Smith,

Statement

A P P E N D I X, N° 8.

Statement of Cash received and due from the Honourable Company.

To Disbursements, as per Bill delivered to the Board	—	S ^t R ^e	3,11,806	—	—
Batta	—		34,298	10	6

(Signed) Richard Smith.

The Governor General's Motions being agreed to,
Resolved, That Mr. Carmichael, the Deputy of the Military Paymaster General, be ordered to prepare the Account required ; that he be also directed to add the Amount of Profits received by the Commanders in Chief from the Monopoly of Salt, and Commission on the Revenues ; and to specify the Period of each Commander in Chief's Expences, mentioning them by Name.

Extract of the Proceedings of the Board of Inspection at Fort William in Bengal, the 17th June 1779.

The following Letter from the Deputy Military Paymaster General, with the Accounts prepared by him of the Allowances and contingent Charges drawn by the different Commanders in Chief, from the Year 1763 to the Commencement of Brigadier General Stibbert's Command, having been sent in Circulation to the Members of the Board, with the Opinion recorded by the Governor General on the 20th of last Month, the Minutes delivered thereon are accordingly entered.

To the Honourable Warren Hastings, Esquire, Governor General, &c. Gentlemen of the Board of Inspection.

Honourable Sir, and Sirs,
In Obedience to the Orders of the Board, signified to me by your Secretary's Letter of the 20th, and received by me the 22d Instant, I have the Pleasure to inclose herewith a general Abstract of the Allowances drawn, and Expences incurred, by the several Commanders in Chief, from the 1st May 1763 to the 1st September 1777, when the Command devolved to Brigadier General Stibbert, by the Decease of Sir John Clavering; also Abstracts containing the particular Expences of each, as extracted from the Military Paymaster General's Books, with an Account of the Commission upon the Revenues as drawn by them from the first Institution of that Fund to the Period above-mentioned; with Abstracts of the Profits which arose to General Carnac from his Share, as Commander in Chief, in the Monopoly of Salt, as furnished me by Mr. Killican, Accomptant of that Concern.

I must remark, that from the vague Manner in which the Disbursements of the Army were entered in the Military Books previous to the Year 1766, many Charges must have undoubtedly escaped my Observation, from not having the particular Service for which they were incurred specified by the Paymasters in their Entries; and as the Commissaries of Boats who preceeded Mr. Cobham, have not distinguished those employed by the Commander in Chief, it is impossible to ascertain the Expence of that Article before the Month of February 1771; nor has the Contractor for Elephants, Camels, and Bullocks, throughout the whole Time for which the Account is compiled, ever made a particular Charge for those attendant upon the Commander in Chief, though it is well known that a large Complement was always allotted for his Service.

The Honourable Board will observe, that in the Abstracts N° 1, 3, 4, and 6, though I have made Estimates of the Pay and Batta to Majors Adams, Carnac, and Munro, and to Brigadier General Carnac (which does not appear to have been received by them separately, but which I suppose

A P P E N D I X, N^o 8.

pose they have drawn in the Rolls of their respective Corps) yet I have not included the Amount thereof, being Current Rupees 52,768. 12. 8. in the General Abstract.—The Sums of Current Rupees 86,032. 12. 3. and Current Rupees 3,46,104. 10. 6. distinguished in the Abstract of General Smith's Expences by an Asterism, besides other Charges, contain many Articles presented to different Princes as Nazirs: Whether they ought or ought not to be considered as foreign to this Account, the Honourable Board will judge. The Bill of Exchange for Current Rupees 1,00,000, drawn by Sir Robert Barker in favour of Soujah Dowla, was placed by the Military Paymaster General to the Debit of the Commander in Chief in September 1771. The Books of that Year not being found, I am at a Loss to know in what Manner it was balanced, and have therefore inserted it without Particulars.

The Board will take Notice, that from the 15th September 1765 to 27th January 1767, no Charge appears for the Commander in Chief; Lord Clive being Governor as well as Commander in Chief, most probably drew his Allowances from the Buxey.

Before I conclude, it may be proper to observe, that previous to Brigadier General Stibbert's coming to the Command of the Army by the Death of General Clavering, he drew considerable Allowances as Commander in Chief in the Field, which might with Propriety be united to those drawn by General Clavering during the same Time; however, as the Secretary's Letter only specifies the Allowance of the Commander in Chief, not those of the Commander in Chief in the Field, they are not inserted in the accompanying Account.

Other Articles might be added to this Abstract, such as the Sums charged in the Revenue Accounts for Bearers for them and the Staff, &c. &c. but as those Charges are not mentioned in the Secretary's Letter, they are not included.

I have the Honour to be,

Honourable Sir, and Sirs,

Your most obedient Servant,

(Signed)

John Carmichael,

D^y M^y P^y Maf^r General.

Sir Eyre Coote—I agree entirely with the Governor General's Resolution.

Mr. Wheler—I think the Sums advanced by the different Commanders for the following Purposes, are improperly introduced in the Accounts before me, as they make no Part of the Allowances drawn by them, or of the Expences incurred on their Accounts; viz.

Payment for Secret Intelligence,
for Dawk Charges,
for Nuzzar Anas.

I have no Reference to General Clavering's Account, but by the Sum carried to his Debit in the General Abstract, the Charge of House Rent seems to be omitted.

Mr. Francis—I have not looked into the Particulars of these Accounts, nor do I think them at all material to the clearing-up of any Question that may occur at present respecting the Commander in Chief's Allowances. But as the Account drawn up by the Deputy Paymaster amounts to more than double that of the Account delivered in by the Paymaster General, I think the latter should be called upon to defend and explain his Account.

Mr. Barwell—I have not the least Objection to Mr. Francis's Proposition. The fullest Information that can be given on the Subject, will render it better understood by the Company, and place the Rights of the different Commanders in Chief in their just Point of View.

Governor General—I agree to Mr. Francis's Proposition, and shall reserve what further I may have to say on the Subject, to the Time in which it shall be again brought before the Board.

Resolved, That the Military Paymaster General be called upon to defend and explain the Account accompanying his Letter of the 8th of May, recorded on the Proceedings of the 20th of that Month.

Ordered, That the Accounts delivered in by the Deputy Paymaster General, be entered after this Day's Consultation.

General Abstract of Allowances

General Abstract of Allowances drawn by the Commanders in Chief, from the 1st May 1763 to the 1st September 1777.

Names of the Commanders in Chief.	Time in Command.	Years. M ^s . D ^s .		Amount drawn from the Military Paymasters.	Profit upon the Monopoly of Salt.	Commission upon the Revenues.	Grand Total.
		—	—				
Major Adams and Knox, vide N ^o 1 and 2	from 1st May 63 to 1st February 1764	—	9	1,02,231 6 6	—	—	1,02,231 6 6
Major Carnac, vide N ^o 3	from 1st February to 31st July 64	—	6	61,451 13 10	—	—	61,451 13 10
Major Munro, — 4	from 31st July 64 to 16 January 65	—	5	61,410 13 6	—	—	61,410 13 6
Sir Robert Fletcher, and Brigadier General Carnac, N ^o 5, 6, 7, and 8	from 1st January to 15th September 65	—	8 15	1,18,302 8 2	2,92,995 —	—	4,11,297 8 2
Brigadier General Smith, N ^o 9 and 10	from 27th January 1767 to 4th December 1769	2	10 7	5,47,941 13 6	—	1,01,515 4 —	6,49,457 1 6
D ^o Sir Robert Barker N ^o 10 and 11	from 4th December 1769 to 22d December 1773	4	— 17	6,53,628 2 8	—	1,15,747 14 5	7,69,376 1 1
Colonels Chapman and Champion N ^o 10 and 12	from 22d December 1773 to 27th December 1774	1	— 5	1,44,942 — 1	—	27,089 11 8	1,72,031 11 9
Lieutenant General Clavering	from 21st September 1774 to 1st September 1777	2	11 11	1,76,666 10 8	—	—	1,76,666 10 8
		C. R.	—	1,866,575 4 11	2,92,995 —	2,44,352 14 1	2,403,923 3 —

No Charge for the Commander in Chief appears after the 15th September 1765, until General Smith took the Command the 27th January 1767; Lord Clive being Governor as well as Commander in Chief, most probably drew his Allowances from the Civil List; but though no Military Charge is made for the Commander in Chief during that Interval, yet General Carnac received his Share, as Commander in Chief, from the Profit upon the Monopoly of Salt for the Year 1766.

Fort William,
the 31st May 1779.

Errors excepted.
(Signed)

John Carmichael,
Dy M^y Paymaster General.

A P P E N D I X, N^o 8.

An Abstract of the Allowances drawn by Major Adams, from the 1st May 1763 to the Time of his Death in January 1764, as extracted from the Military Paymaster General's Books.

Month in which the Charges appear in the Paymaster's Disbursements.		AR ^r	
1763.			
May.	Major Adams, his Table Expences for		
	May — — —	4,973 11 6	
	Moonshee and Writer — —	300 — —	
	Repairs of Ghyrette House — —	215 — —	
		<u>5,488 11 6</u>	
June.	Moonshee for Major Adams — —	50 — —	
	Writer — — —	50 — —	
	Hircarrahs — — —	65 — —	
		<u>165 — —</u>	
July.	Hircarrahs — — —	469 — —	
	Table Expences for June and July — —	11,589 13 2	
	Moonshee — — —	100 — —	
	Writer — — —	50 — —	
		<u>12,208 13 2</u>	
August.	Hircarrahs employed by the Commander in Chief — —	1,235 — —	
Septem ^r	Ditto — — —	203 2 6	
	Moonshee and Writer — —	150 — —	
	Paid for Sundries, by Order of Major Adams — — —	97 — —	
		<u>450 2 6</u>	
Octob ^r	Hircarrahs employed by Major Adams — —	832 8 —	
	Moonshee and Writer — —	150 — —	
	Presents given to Hircarrahs in Sept ^r and Oct ^r — — —	535 4 —	
	Ditto — Ditto in October — —	320 4 —	
	Mr. Grant's Bill for Stationary for the Commander in Chief — —	142 8 —	
		<u>1,980 8 —</u>	
Nov ^r	Hircarrahs employed by the Commander in Chief — —	970 — —	
	Presents to Ditto — —	346 — —	
	Table Expences to Major Adams for Aug ^t , Sept ^r , and October — —	26,642 7 9	
	Moonshee and Writer — —	150 — —	
		<u>28,108 7 9</u>	
Dec ^r	Presents given by Major Adams to Sittob Roy — — —	4,440 5 —	
	Lascars employed by D ^o — —	33 — —	
	Budgerow for Major Adams — —	198 8 —	
		<u>4,671 13 —</u>	
1764.			
Febr ^y	Paid Capt. Stables, on Account of Major Adams his Expences for Nov ^r and Decem ^r — —	11,346 — —	
March.	Paid by Military Paymaster General to the Executors of Major Adams, his Table Expences in November and December 1763, and January 1764 — — —	17,230 3 6	
	Deduct paid to Captain Stables at Camp — — —	11,346 — —	
		<u>5,884 3 6</u>	
		AR ^r 71,538 11 5	
	Batta 8 per Cent. — — —	5,723 1 6	
		<u>77,261 12 11</u>	

It

A P P E N D I X, N^o 8.

1764.

Not included in the general Abstract.

It must be remarked, that there is neither Pay or Batta included in the above Account, though there is no Reason to doubt both being drawn, and most probably in the Abstracts of the Regiment to which he belonged. Suppose there is Pay as Major at 6 R ^s per Day, from the 1st May 1763 to the 15th January 1764, which is about the Time of his Death, 261 Days — 1,566 — —			
Ditto his Batta (the same as we find is drawn by Major Allisew) 50 R ^s per Diem — — — 13,050 — —			
	14,616 — —		
Batta 8 per Cent. — — — 1,169 4 5			
	15,785 4 5		
Total, supposing no Expence to be incurred for Boats, Elephants, Camp Equipage, &c. — — — — Current R ^s — — — 93,047 1 4			

Fort William,
the 31st May 1779.

Errors excepted.
(Signed) John Carmichael,
D^y M^y P^r Gen^l.

Month in which the Charge appears in the Paymaster's Disbursements.

An Abstract of Allowances drawn by Major Knox in December 1763 and January 1764, as extracted from the Military Paymaster General's Books.

1763.
Dec^r.

Table Expences to Major Knox — — — 5,000 — —			
Extra Expences by Ditto — — — 700 — —			
Dieting Prisoners by Ditto — — — 350 — —			
Writer, Linguist, and Moonshee for D ^o — — — 350 — —			
	6,400 — —		

Jan^{ry}.

Moonshee to Major Knox — — — 200 — —			
Major Knox, 3 Bills for Elephants and Camels — — — 16,520 — —			
	16,720 — —		

	23,120 — —		
Batta 8 per Cent. — — — 1,849 9 7			
	Current Rupees	24,969 9 7	

It would appear that Major Knox drew the Allowances above-mentioned, as Commanding Officer, from the Time of Major Adams quitting the Command till Major Carnac assumed it, which was in February 1764; they may therefore with Propriety be united to those of Major Adams.

Fort William,
the 31st May 1779.

Errors excepted.
(Signed) John Carmichael,
D^y M^y Pay^r Gen^l.

A P P E N D I X, N^o 8.

Month in which the Charge appears in the Paymaster's Disbursements.		An Abstract of Allowances drawn by Major Carnac, while commanding the Army, commencing in February 1764, and ending the 31st July 1764, as extracted from the Military Paymaster General's Books.	
1764.			
Feb ^r	Hircarrahs attending Major Carnac —	171 — —	
	Table Expences to D ^o for February —	5,356 10 —	
			5,527 10 —
March.	Hircarrahs attending the Commander in Chief — — —	1,007 — —	
	Presents to Ditto, for Secret Intelligence —	950 — —	
	Table Expences for March —	6,697 — —	
	Salams made the Nabob — —	375 — —	
	Major Carnac's Moonshee —	200 — —	
			9,235 — —
April.	Hircarrahs attending the Commander in Chief — — —	1,100 — —	
	Presents to Ditto, for Secret Intelligence —	1,360 — —	
	Table Expences for April —	8,631 8 —	
	Moonshee and Writer — —	200 — —	
			11,291 8 —
May.	Hircarrahs for May — —	923 — —	
	Presents to D ^o for Secret Intelligence —	1,035 — —	
	Table Expences for May — —	7,951 12 —	
	D ^o for Mendy Ally Cawn —	415 — —	
	Moonshee for May — —	200 — —	
			10,524 12 —
June.	Captain Stables's Bill for Hircarrahs attending the Commander in Chief for June — — —	776 — —	
	Presents to Hircarrahs and to the King's Servants — — —	1,115 — —	
	Table Expences for June — —	9,877 — —	
	Major Carnac's Moonshee and Writer —	200 — —	
			11,968 — —
July.	Major Carnac's Table Expences for July — — —	8,153 — —	
	Writer — — —	200 — —	
			8,353 — —
			56,899 14 —
	Batta 8 per Cent.	4,551 15 10	
		Current Rupees	61,451 13 10
Not included in the General Abstract.	As Major Carnac has not drawn Pay or Batta by separate Bill, it is to be supposed he has drawn them in the Abstracts of his Corps. Suppose then Pay as Major, from the 1st February to the 1st August 1764, a. 6 —		1,086 — —
	Batta (the same as is drawn by Major Allefiew) a. 50 —		9,050 — —
			10,136 — —
	Batta 8 per Cent.	810 14 1	
			10,946 14 1
	Total, supposing no Expence to be incurred for Boats, Elephants, Camp Equipage, &c. — — —		72,398 11 11
			Current Rupees

Fort William,
the 31st May 1779.

Errors excepted.
(Signed) John Carmichael,
D^y M^r Pay^r Gen^l.

A P P E N D I X, N^o 8.

Month in which the Charge appears in the Paymaster's Disbursements.

An Abstract of Allowances drawn by Major Monro from the 1st August 1764 to the 1st January 1765, whilst commanding the Army, as extracted from the Military Paymaster General's Books.

1764. August.	Captain Stables, his Bill for Hircarrahs attending the Commander in Chief — — — 880 — — Presents to D ^o for Intelligence — — — 185 — — Major Monro's Table Expences for August — — — 7,364 8 — 8,429 8 —
Septem ^r	Captain Stables, his Bill for Hircarrahs with the Commander in Chief — — — 1,067 — — Secret Intelligence — — — 152 — — Major Monro's Table Expences for September — — — 4,497 8 6 5,716 8 6
October	Major Monro's Bill for an Elephant 3,000 — — Repairing a Garden for the Commander in Chief — — — 1,435 — — Hircarrahs attending D ^o — — — 1,174 8 — Presents to Hircarrahs — — — 719 — — Major Monro's Bill for Gratuity — — — 1,600 — — D ^o Presents to sundry People — — — 4,065 — — Table Expences for October — — — 4,966 14 — 16,960 6 —
Nov ^r .	Major Monro's Bill for an Elephant — — — 3,000 — — Hircarrahs attending D ^o — — — 1,145 — — Presents to D ^o — — — 684 — — Major Monro's Table Expences — — — 4,959 1 9 Ditto for Sundry Salaams — — — 6,437 — — Ditto for several other Expences — — — 1,134 12 — 17,359 13 9
Decr.	Hircarrahs attending the Commander in Chief — — — 1,202 — — Presents to D ^o — — — 394 — — Table Expences — — — 5,344 4 — Stationary for Major Monro — — — 309 8 — 7,249 12 —
1765. March.	Two Bills of Major Monro's for Servants Wages — — — 1,145 14 — 56,861 14 3 Batta 8 per Cent. — — — 4,548 15 3 61,410 13 6
Not included in the General Abstract.	As no Charge appears for Major Monro's Pay or Batta, it is to be presumed he drew both in the Abstracts of his Regiment: Suppose them, Pay as Major, at 6 per Diem — — — 918 — — Batta, as Commandant, at 50 per D ^o — — — 7,650 — — 8,568 — — Batta at 8 per Cent. — — — 685 7 — 9,253 7 —
	Total (suppose no Expence to be incurred on Account of Boats, Camp Equipage, &c.) — — — Current Rupees 70,664 4 6

Fort William,
the 31st May 1779.

Errors excepted.
(Signed) John Carmichael,
D^y M^y Pay^r Gen^l.

A P P E N D I X, N° 8.

Month in which
the Charge ap-
pears in the Pay-
master's Dis-
bursements.

An Abstract of Allowances drawn by Sir Robert Fletcher, when commanding the Army, from the 6th January to the 12th February 1765, as extracted from the Military Paymaster General's Books.

1765.
Feb^r

Disbursed by Sir Robert Fletcher on sundry Occa- sions	—	—	2,500	—	—
His Expences as Commander in Chief from the 6th January to the 12th February	—	—	6,010	—	—
His Bill for 300 Coolies employed	—	—	1,750	—	—
His D° for Nazirs at the Siege of Allahabad	—	—	11,464	8	—
				21,724	8
			Batta 8 per Cent.	1,737	15 4
			Current Rupees		—
				23,462	7 4

Notwithstanding Sir Robert Fletcher drew the Allowances as Comman-
der in Chief, I find they were also drawn for the same Time by General
Carnac, upon which Account I have united both together in the Ge-
neral Abstract.

Fort William,
the 31st May 1779.

Errors excepted.
(Signed) John Carmichael,
D^y M^y Pay^r Gen^l

Month in which
the Charge is en-
tered in the Pay-
master's Dis-
bursements.

An Abstract of Allowances drawn by Brigadier General Carnac, from the 1st January to the 15th September 1765, as extracted from the Military Paymaster General's Books.

1765.
Feb^r

Coolies employed carrying General Carnac's Baggage to Camp	—	—	141	1	—
Hircarrahs attending the Commander in Chief	—	—	3,333	8	—
General Carnac's Table Expences for January	—	—	8,794	—	—
				12,268	9
April. General Carnac's Table Expences for February and March	—	—	18,292	8	11
D° D° for April	—	—	7,698	—	—
D° D° for Mindy Ally Cawn	—	—	2,263	12	—
Pay and Batta to General Carnac's Moonsee and Writer	—	—	1,060	—	—
General Carnac's Travelling Charges from Patna to Camp	—	—	1,051	8	—
Writers and Moonsees D°	—	—	100	—	—
Moonsee's Pay	—	—	320	—	—
				30,785	12 11
May. Captain Swinton's Bill for Hircarrahs, attending the Commander in Chief in March, April, and May	—	—	5,322	—	—
June. Hircarrahs attending in June	—	—	1,247	—	—
General Carnac's Table Expences for Ditto	—	—	7,440	—	—
				8,687	—
July. Hircarrahs attending D° in July	—	—	1,119	8	—
Table Expences to D° for May and July	—	—	14,540	—	—
Writers Pay for June	—	—	200	—	—
				15,859	8

Hircarrahs

A P P E N D I X, N^o 8.

1765.	Hircarrahs attending the Commander in Chief	—	1,135	—	—	
August.	His Moonshee for June, July, and August	—	880	—	—	
	His Writer in July and August	—	200	—	—	
					1,215	
Sept ^r	Hircarrahs attending the Commander in Chief	—	1,115	—	—	
	General Carnac's Durbar Charges in August and September	—	2,854	—	—	
	His Table Expences from 1st August to 15th September	—	9,388	—	—	
	2 Moonshees and 1 Writer for September	—	320	—	—	
					13,677	
					87,814	13 11
	Batta, 8 per Cent.				7,025	2 11
						94,840 — 10
It does not appear that General Carnac drew Pay or Batta by separate Bill. It is probable, then, that he received it in the Abstract of his Corps. Suppose then,						
	Pay as Colonel, from the 1st January to the 16th September, at 10	—	2,590	—	—	
	Batta as Ditto, from Ditto to Ditto, at 50	12,950	—	—	—	
					15,540	—
	Batta, 8 per Cent.	—	1,243	3	2	
					16,783	3 2
	Total, supposing no Expence to be incurred for Elephants, Camels, Bullocks, Budgerows, Camp Equipage, Lascars, &c.	—	CR.		1,11,623	4 —

Not included in the General Abstract.

Fort William,
the 31st May 1779.

Errors excepted.

(Signed) John Carmichael,
D^r M^r Pay^r Gen^l.

D ^r	—	—	GENERAL JOHN CARNAC	—	C ^r
To Cash paid him fundry Dividends for his Proportion in the Society of Trade, A. 1765, amounting to CR.	—	—	3,72,675	—	—
					1,71,930
					2,00,745
					3,72,675
					CR.

Fort William, the 25th May 1779.
A true Copy from the Books of the Society of Trade.
(Signed) David Killican,
Accountant.

D ^r	—	—	GENERAL JOHN CARNAC	—	C ^r
To Cash paid him fundry Dividends for his Proportion in the Society of Trade, B. 1766, amounting to CR.	—	—	2,12,250	—	—
					1,20,000
					92,250
					2,12,250
					CR.

Fort William, the 25th May 1779.
A true Copy from the Books of the Society of Trade.
(Signed) David Killican,
Accountant.

A P P E N D I X, N^o 8.

Abstract of Pay and Allowances drawn by Brigadier General Smith, while commanding the Army in Bengal; commencing the 27th January 1767, and ending the 4th December 1769.

Month in which the Charge is entered in Paymaster's Disbursements.

1767.

See Journal for April.

* Paid Colonel Smith's Bill, by Order of the Board, for sundry Expences, Nazirs, &c. — — — —

86,032 12 3

July. Mr. Wilmot's Bill for Boats attending the Commander in Chief — — — 1,222 — —

Mr. Shrimpton's D^o for a Budgetow for D^o — — — 500 — —

Hircarrahs employed in the Service, from Allahabad to Delhi — — — 897 — —

Extra Expences in May, and Hircarrahs in June — — — 2,295 6 —

Repairing the Octagon House for the Reception of the Commander in Chief — — — 1,122 1 3

6,036 7 3

Aug^t. Hircarrahs and Extra Expences for the Commander in Chief — — — 834 — —

Moonshees for July — — — 170 — —

1,004 — —

Sept^r. Hircarrahs and Extra Expences for the Commander in Chief — — — 1,085 — —

Moonshees for August — — — 170 — —

Mr. Patton's Bill for Moonshees for the Commander in Chief, for September — — — 196 — —

Hircarrahs with the Commander in Chief, for September — — — 1,085 — —

Ditto for the Dawks 'twixt Fayzabad and Allahabad — — — 222 — —

Repairing Budgerows and Pinnaces attending the Commander in Chief — — — 172 5 3

2,931 5 3

Oct^r. Secretary Patton's Bill for Moonshees for the Commander in Chief, for October — — — 170 — —

Hircarrahs for Ditto — — — 1,205 — —

Sundry Dawk Expences for September — — — 404 — —

Ditto for October — — — 500 — —

2,279 — —

Dec^r. Budgerows and Boats attending the Commander in Chief, from June to December inclusive — — — 2,188 13 —

Secretary Patton's Bill for Hircarrahs, and Extra Expences for D^o, in November and December — — — 3,646 — —

D^o D^o for Dawk Hircarrahs, D^o D^o — — — 1,487 — —

D^o D^o for Moonshees, D^o D^o — — — 340 — —

Captain Delafield's Bill for repairing the Commander in Chief's Quarters, in December — — — 758 14 6

Quarter Master's D^o for D^o, in November — — — 513 10 —

8,934 5 6

1768.

Feb^r.

Secretary Patton's Bill for Commander in Chief's Moonshees Wages, for January and February — — — 375 — —

Hircarrahs and Extra Expences for D^o, in D^o D^o — — — 2,397 12 —

2,772 12 —

Secretary

A P P E N D I X, N^o 8.

Month	Description	Amount
1768. March.	Secretary Patton's Bill for Hircarrahs and Extra Expences for the Commander in Chief	986 — —
	D° D°, for Stationary for D°	590 — —
	Mr. Boughton's Bill for Moonshee for D°	170 — —
	Aid de Camp Delafield's Bill, for Neces- saries	186 — —
	Mr. Wilson's Bill for Furniture	142 12 —
	Colonel Barker's Bill for 21 Gold Mohurs, presented to His Majesty for the Com- mander in Chief	536 — —
		2,410 12 —
April.	Mr. Hutchinson's Bill for Boats employed by the Com- mander in Chief	2,218 8 —
	D° D°, for Repairs of D°	296 — —
		2,514 8 —
Oct ^r .	Secretary Patton's Bill for Mathematical Instru- ments	441 — —
	Mr. Cockerel's Bill for Carpets for the Commander in Chief's Quarters	640 — —
		1,081 — —
Nov ^r .	The Paymaster's Bill for Carpets and Seringes provided for the Commander in Chief's Quarters, and Deputa- tion	3,509 9 6
Dec ^r .	Mr. Boughton's Bill for Hircarrahs for Six Months	1,896 — —
	Ditto, for Extra Expences for April and May	855 — —
	Moonshees, from April to August	1,100 — —
	Pens, Ink, &c. for D°	90 6 6
	Trunk for White Paper	70 1 —
		4,011 7 6
1769. Jan ^r .	Mr. Boughton's Bill for the Commander in Chief's Moonshees	270 — —
	D°, for D° Hircarrahs	421 — —
	Secretary Patton's D°, for D° D°	228 — —
		919 — —
Feb ^r .	Secretary Patton's Bill for Extra Expences, from July to December inclusive	3,598 — —
	Paid to People employed at the Head Quarters, by Order of the Commander in Chief	229 8 —
	Mr. Boughton's Bill for Hircarrahs for the Commander in Chief	400 — —
	D° D° for Moonshees for D°	270 — —
	D° D° for Dawk Hircarrahs from Alla- habad to Agra	1,275 — —
	D° D° for D° from Fayzabad to Allaha- bad	228 — —
Mar.	Paid for Boats supplied the Commander in Chief, for October, November, and December	2,611 6 —
	D° for Lascars with Ditto	958 12 —
	Hircarrahs with the Commander in Chief, for October	330 — —
	Mr. Boughton's Bill for Hircarrahs and Moonshees, with D°	656 — —
	Mr. Patton's Bill for Dawk Hircarrahs to Fayzabad, with D°	228 — —
	Ditto for a Chest of Stationary	798 11 —
	Gardeners at the Head Quarters	49 8 —
		5,632 5 —

Boats

A P P E N D I X, N° 8.

1769- April.	Boats employed by the Commander in Chief, from December to April inclusive	—	—	4,680	—	—
	Commander in Chief's Moonshes, &c.	—	—	656	—	—
	D° Hircarrahs from Fayzabad to Allahabad	—	—	228	—	—
	Secretary Patton for a Writer, from April to January	—	—	450	—	—
					6,014	—
May.	Mr. Ham's Bill for Boats employed by the Commander in Chief	—	—	2,183	5	—
	Mr. Boughton's Bill for Moonshes for D°	—	—	270	—	—
	D° D° Hircarrahs for D°	—	—	386	—	—
	D° D° for D° stationed from Fayzabad to Allahabad	—	—	228	—	—
					3,067	5
June.	Paid Mr. Ham's Bill for Boats supplied the Commander in Chief	—	—	1,791	—	—
	D° Ensign Davy for a Tent for D°	—	—	300	—	—
					2,091	—
July.	Paid the Superintendant's Bill for Budgerows and Boats, supplied the Commander in Chief in May and June	—	—	7,190	—	—
	Gardeners employed at Head Quarters in April and May	—	—	99	—	—
	D° D° in June	—	—	49	8	—
					7,338	8
Aug ^r .	Mr. Ham's Bill for Boats supplied the Commander in Chief in July and August	—	—	3,692	8	—
	Secretary Patton's Bill for sundry Dawks in April and May	—	—	885	—	—
	D° for Extra Expences from January to July	—	—	5,710	—	—
	Mr. Boughton's Bill for Hircarrahs in June	—	—	386	—	—
	D° D° for Moonshes D°	—	—	270	—	—
	A Pair of large Lanterns, purchased by Order of General Smith	—	—	500	—	—
					11,443	8
Sept ^r .	Paid for Hircarrahs with the Commander in Chief for July and August	—	—	—	700	—
Oct ^r .	Mr. Boughton's Bill for Hircarrahs with D° in September and October	—	—	660	—	—
	D° for Moonshes for September	—	—	540	—	—
	Secretary Patton's Bill for Stationary for the Commander in Chief	—	—	600	—	—
					1,800	—
Dec ^r .	* General Smith draws various Sums upon Account from the Paymasters, none of which have been entered in this Abstract; the General laid before the Board an Account Current on the 9th November 1769, made up to the 1st August 1769, which was approved, and the Balance ordered to be paid. The Total Amount brought to the Company's Debit, being his Table Allowance and various Disbursements made by him as Commander in Chief, was					—
						3,46,104 10 6
	Table Expences to General Smith, from August to November inclusive	—	—	19,600	—	—
	Captain Fullarton's Bill for Hircarrahs with the General in November	—	—	309	—	—
	Secretary Patton's Bill for Moonshes with the General in November	—	—	270	—	—

A P P E N D I X, N° 8.

1769. Dec.	Mr. Cockerel's Bill for Manjies and Dandies Wages with the Commander in Chief in December	378		
	3 Budgerows for the Commander in Chief in November and December	900		
			21,457	
1770. Jan'y.	Mr. Boughton's Bill for Sundries for the General	380		
	Sonaut Rupees	1,04,328	5	
	Batta 11 per Cent.	11,476	1	9
			1,15,804	6 9
			Current Rupees	5,47,941 13 6

Errors excepted.

Fort William,
the 31st May 1779.

(Signed)

John Carmichael,
D^y M^y Pay^r Gen^l.

It is to be observed, that in the foregoing Abstract there is no Charge made for the large Complement of Lascars and Coolies usually allotted for the Service of the Commander in Chief. And as the Contractors Charges for Elephants and Camels do not mention the Service upon which they are sent, it is impossible to ascertain the Number employed by General Smith. No Charge of any Consequence appears for his Camp Equipage, from which I suppose the Article is included in the Military Store-keeper's Accounts. The Boat Bills are entered in such a vague Manner, that there is the greatest Reason to suppose many Charges for Budgerows, &c. which were actually upon Account for the Commander in Chief, have been overlooked, as the Service for which they were hired is not particularly specified.

APPENDIX, N^o 8.

An Abstract Account of the Commission on the Revenues, drawn by the several Commanders in Chief, from the First Institution of that Fund up to the Commencement of Brigadier General Sibbert's Command.

Rich ^d Smith, Esq; —	7½ Shares, 1 Year, from 31st August 1767 to 1st September 1768 — — —	CR ^s	
	6 M ^{os} , to the 1st March 1769 — — 21,000 — —	45,158	9 6
	6 M ^{os} , to the 1st September 1769 — — 23,547 4 3		
		44,547	4 3
D ^s , and Sir Robert Barker —	6 M ^{os} , to the 1st March 1770 — — 22,500 — —		
Sir Robert Barker —	6 M ^{os} , to the 1st September 1770 — — 14,770 6 10		
		37,270	6 10
	2 M ^{os} , to the 31st October 1770 — — 6,133 6 9		
	5½ Shares, 121 Days, to the 31st March 1771 — — 9,070 10 5		
		15,204	1 2
	6 M ^{os} , to the 1st September 1771 — — 13,869 10 —		
		29,073	11 2
	6 M ^{os} , to the 1st March 1772 — — 13,805 — —		
	6 M ^{os} , to the 1st September 1772 — — 18,009 4 8		
		31,814	4 8
	6 M ^{os} , to the 1st March 1773 — — 15,906 — —		
	6 M ^{os} , to the 1st September 1773 — — 13,492 14 —		
		29,398	14 —
D ^s , and Colonels Chapman and Champion —	6 M ^{os} , to the 1st March 1774 — — 11,288 — —		
A. Champion —	6 M ^{os} , to the 1st September 1774 — — 12,511 3 11		
		23,799	3 11
	49 Days, to the 19th October 1774 — — — —	3,290	7 9
	Current Rupees —	2,44,352	14 1

Fort William,
Account^t Gen^ls Office,
the 26th May 1779.

(Errors excepted.)
(Signed) Ja^s Miller,
Act^g Account^t Gen^l.

A P P E N D I X, N^o 8.

An Abstract of Pay, Allowances, &c. drawn by Brigadier General Sir Robert Barker, while Commander in Chief, with Expences incurred upon his Account, from the 4th December 1769 to the 22d December 1773, as extracted from the Military Paymaster General's Books.

Month in which the Charge is entered in the Paymaster's Disbursements.

1770.									
Jan.	Captain Fullarton's Bill for Hircarrahs with the General, for December	—	—	—	433	—	—		
Feb.	D ^o , his D ^o for D ^o with D ^o , in January and February	—	—	—	782	—	—		
March.	D ^o , his D ^o for D ^o , in March	—	—	—	405	—	—		
April.	Sundry Lascars employed by the General	52	—	—					
	Captain Fullarton's Bill, for Lascars and Dandies with the General	—	—	1,050	—	—			
	D ^o , his D ^o , for Hircarrahs with D ^o , in April	—	—	—	334	—	—		
	D ^o , D ^o , for Gurrymen, from August to November inclusive	—	—	—	68	—	—		
	D ^o , D ^o , for Beasties, D ^o D ^o D ^o	—	—	—	242	10	8		
							1,746	10	8
May.	Captain Fullarton's Bill for Hircarrahs for the General, in May	—	—	—	334	—	—		
	Captain Burrington's Bill for a Bookcase for D ^o	—	—	—	300	—	—		
							634	—	—
June.	Captain Fullarton's Bill for Hircarrahs with D ^o , for June	—	—	—	290	—	—		
	Captain Burrington's D ^o for Budgerows with the Commander in Chief, from the 1st December 1769 to the 30th June 1770	—	—	—	4,174	8	—		
	Captain Burrington, his Bill for Writers, Candles, and Stationary, for the Commander in Chief's Office, in May and June	—	—	—	520	—	—		
	Lieutenant Cockerell's Bill for Moonshoes, Gurrymen, &c. with the Commander in Chief, from December to July	—	—	—	1,631	—	—		
							6,615	8	—
July.	Captain Fullarton's Bill for Hircarrahs with the General, for July	—	—	—	300	—	—		
Aug.	D ^o , his D ^o for D ^o with D ^o , for August	—	—	—	299	—	—		
Sept.	Captain Fullarton's Bill for Hircarrahs with the General, for September	—	—	—	334	—	—		
Oct.	D ^o , his D ^o for D ^o with D ^o , for October	—	—	306	—	—			
	D ^o , for Sircars, Linguist, &c.	—	—	270	—	—			
	Captain Burrington's Bill for 2 Chests of Stationary for the Commander in Chief	—	—	799	—	—			
	General Barker's Bill for Expences as Commander in Chief, from 1st December 1769 to 30th June 1770	—	—	—	35,000	—	—		
	D ^o , for Secret Intelligence, from D ^o to D ^o	—	—	—	3,000	—	—		
	Lieutenant Cockerell's Bill for Dawk Hircarrahs employed with Commander in Chief, from July to October inclusive	—	—	—	406	—	—		
	D ^o , his D ^o for Hackery Hire for the General	—	—	—	80	—	—		
							39,861	—	—
Nov.	Captain Burrington's Bill for Pinnaces and Boats for the Commander in Chief, from July to November, inclusive	—	—	—	2,589	15	3		

Captain

A P P E N D I X, N° 8.

1770.									
Nov.	Captain Burrington's Bill for Stationary and Candles for the Commander in Chief, in October and November	—	—	520	—	—			
							3,109	15	3
Dec.	Paid the Superintendent's Bill for Budgerows and Boats attached to the 3d Brigade and with the Commander in Chief, this Month, Sonaut Rupees 6,645. 12. 9.								
	This Charge I have not inserted, as the Amount incurred on account of the Commander in Chief is not specified.								
	Paid Sir Robert Barker, for Secret Intelligence this Month	—	—	2,000	—	—			
	Paid his Expences as Commander in Chief, from July to December, inclusive	—	30,000	—	—				
	Captain Burrington's Bill for Lascars employed with D°, from the 1st July to the 30th November	—	—	635	—	—			
	Lieutenant Cockerell's D°, for Dawk Hircarrahs in November and December	—	—	210	—	—			
							32,845	—	—
							87,365	1	11
1771.									
Jan.	Paid the Superintendent's Bill for Budgerows and Boats with the 3d Brigade and the Commander in Chief, to the 6th January, Sonaut Rupees 2,498. 0. 9. 11 per Cent.	—	—	—	—	9,610	2	7	
	Not inserted in the Account, not knowing what Sum to charge for those employed with the Commander in Chief.								
	Lieutenant Cockerell, for Jemmedar, Beasties, and Gurrymen at the Head Quarters, from 1st July to 31st December	—	—	798	—	—			
	Captain Burrington, for Coolies, Mollies, Harry Wenches, and Sweepers, at D°, from 1st December 1769 to 31st August 1770	—	—	612	—	—			
	Lieutenant Cockerell, for Dawk Hircarrahs	—	—	105	—	—			
							1,515	—	—
							166	10	5
							1,681	10	5
	11 per Cent.								
Feb.	D°, for Jemmedar, Beasties, and Gurrymen, with General Barker, Sonaut Rupees 216, or Curr' R ^s	—	—	239	12	2			
	Mr. Cobham's Disbursements, Budgerows, and Boats, with the Commander in Chief, and his Suite	—	—	3,635	8	1			
							3,875	4	3
March.	Mr. Cobham's Disbursements for Budgerows and Boats with the Commander in Chief and his Suite, for March	—	—	4,404	15	9			
	Lieutenant Cockerell, for Jemmedars, Beasties, Gurrymen, &c. with D°, for D°, Sonaut Rupees	—	—	100	—	—			
	11 per Cent.	—	—	11	—	—			
							111	—	—
							4,515	15	9
April.	Mr. Cobham's Disbursements for Budgerows and Boats with D°, for April	—	—	3,545	13	6			
	Lieutenant Cockerell's Bill for Hircarrahs with the Commander in Chief, for February, March, and April	—	—	345	—	—			
	D° D°, for Wages of a Naib, of Dawk Hircarrahs, from 1st December 1769 to 30th June 1770	—	—	105	—	—			

96,975 4 6

A P P E N D I X, N° 8.

1771.

April.

Lieutenant Cockerell's Bill
for People employed by
General Barker to recover
his Effects lost near Min-
coote — — —

100 — —

D°, for Jemmedar, Beasties,
and Gurrymen, with the
Commander in Chief in
April — — —

106 — —

Captain Burrington's D° for
Hackeries with D° in Ja-
nuary, February, and March

2,024 — —

Lieutenant Cockerell's D° for
Hircarrahs with D° — — —

330 — —

3,010 — —

11 per Cent.

331 1 7

3,341 1 7

6,886 15 1

May.

Mr. Cobham's Disbursements for Budgerows and Boats
with the Commander in Chief and his Suite, this
Month — — —

3,552 8 —

Lieutenant Cockerell, for Dawk Hircar-
rahs with D° — — —

115 — —

D° D°, for Extra Pay to D°
for March and April — — —

60 — —

Lieutenant Cockerell for Jem-
medar, Beasties, and Gurry-
men, at Head Quarters — — —

136 — —

D°, for Hircarrahs employed
with the Commander in
Chief — — —

330 — —

641 — —

11 per Cent.

70 8 2

711 8 2

4,264 — 2

June.

Mr. Cobham's Disbursements for Boats, &c. with the
Commander in Chief and his Suite — — —

3,079 10 3

Captain Cockerell's Bill, for Extra Pay
to Dawk Hircarrahs employed with
D° — — —

20 — —

Ditto Pay to Dawk Hircar-
rahs for D° — — —

115 — —

Ditto for Beasties and Gur-
rymen at Head Quarters — — —

136 — —

D° for Wax Cloth for the
Dawk — — —

12 — —

D° for Hircarrahs employed
with the Commander in
Chief — — —

330 — —

613 — —

11 per Cent.

67 6 10

680 6 10

3,760 1 1

July.

Mr. Cobham's Disbursements for Boats with the Com-
mander in Chief for July — — —

3,079 10 3

Captain Cockerell, for Dawk Hircarrahs with
the Commander in Chief — — —

145 — —

D° for Hircarrahs with D° — — —

330 — —

D°, Beasties, Gurrymen, &c.
with D° — — —

136 — —

A P P E N D I X, N^o 8.

1771. July.	Captain Cockerell, for Wax Cloth for the Dawks —	12 — —				
		623 — —				
	11 per Cent.	68 8 5				
			691 8 5			
				3,771	2 8	
Aug.	Mr. Cobham's Disbursements for Boats and Budgerows employed with the Commander in Chief and his Suite —			7,539	13 11	
Sept.	Paid the Amount of a Bill of Exchange, drawn by Sir Robert Barker in Favour of Sujah ul Dowla —					1,00,000 — —

The Head of Commander in Chief is debited for the Amount of this Bill, in the Military Paymaster General's Cash Book this Month.

Mr. Cobham's Disbursements on Boats and Budgerows with the Commander in Chief and his Suite this Month — — — 3,835 — 9

Captain Burrington's Bill for Coolies, Sweepers, Hackeries, &c. employed with the Commander in Chief from May to September inclusive — 4,022 1 —

Captain Cockerell's D^o for Dawk Hircarrahs with D^o in August and September — — — 288 — —

D^o, for Hircarrahs with D^o, in D^o and D^o — — — 750 — —

D^o, for Beasties and Gurrymen with D^o, in D^o and D^o — — — 236 — —

Paid Captain Cockerell's Bill for extra Hircarrahs with D^o, in D^o and D^o — — — 207 — —

D^o for Wax Cloth for the Dawks in D^o and D^o — — — 24 — —

11 per Cent. 5,527 1 —
607 15 7
6,135 — 7

Oct. Mr. Cobham's Disbursements for Boats and Budgerows with the Commander in Chief and his Suite 3,897 — 8

Captain Cockerell, for Hircarrahs with D^o — — — 293 — —

D^o, for Dawk D^o with D^o — — — 115 — —

D^o, for Beasties and Gurrymen with D^o — — — 100 — —

D^o, for Wax Cloth for the Dawks — — — 12 — —

Captain Burrington, for a lined Marqué — — — 500 — —

11 per Cent. 1,020 — —
112 3 2
1,132 3 2

Nov. Mr. Cobham's Disbursements for Boats, &c. with the Commander in Chief and his Suite — 4,142 12 3

Mr. Herbert's Bill for a Chest of Stationary — — — 600 — —

11 per Cent. 66 — —

666 — —

Dec. Mr. Cobham's Disbursements, as above — 4,157 3 2

4,808 12 3

Captain

A P P E N D I X, N^o 8.

1771.

Dec. Captain Cockerell, for Beasties and Gurrymen employed at Head Quarters in November and December — 200 — —
D^o, for Dawk Hircarrahs in D^o and D^o — — 230 — —
D^o, for Wax Cloth in D^o and D^o — — 24 — —
D^o, for Hircarrahs in D^o and D^o — — 472 9 —

11 per Cent. 926 9 —
101 14 9

1,028 7 9

5,185 10 11

61,288 11 8

1772.

Jan. Mr. Cobham's Disbursements as above — 4,159 2 8
Captain Burrington's Bill for Cooley Hire, for the Commander in Chief in December and January — — 1,410 14 —

11 per Cent. 155 3 1

1,566 1 1

5,725 3 9

Feb.
March.

Mr. Cobham's Disbursements, as above — — 4,542 1 10
D^o, his D^o for D^o — — 4,592 9 1
Captain Burrington's Bill for Sweepers with General Barker, from 1st September 1771 to 31st March 1772 — 139 8 —
Captain Cockerell's D^o for Beasties and Gurrymen at Head Quarters in February and March — 300 — —
D^o, for Dawk Hircarrahs, for January, D^o and D^o — 345 — —
Lieutenant Cockerell's Bill, for Coolies, Hackeries, Camels, and Bullocks, with General Barker, in February and March — 1,475 13 —
Ditto, for Cooley Hire for D^o, in D^o and D^o — 2,067 2 8
Ditto, for Hackeries for D^o, in January, D^o and D^o — 769 8 —
Ditto, for Stationary for the Dawks — — 36 — —

5,132 15 8
11 per Cent. 564 10 1

5,697 9 9

10,290 2 10

April. Mr. Cobham's Disbursements for Boats, &c. for the Commander in Chief and his Suite — 4,367 10 9

The Boat Disbursements for April being missing, this Sum is taken at a Medium from the Amount of those for March and May.

General Barker's Salary as Commander in Chief, from 1st December 1769 to 1st December 1771, at £. 750 per Annum — — 11,675 10 9
Table Allowance, from the 1st January 1771 to 31st December following — 60,000 — —
Secret Intelligence from D^o to D^o — — 8,000 — —

Captain

A P P E N D I X, N.º 8.

1772. April.	Captain Cockerell's Bill for private Hircarrahs with the Commander in Chief	955 — —
	Ditto for Beasties and Gurrymen at Head Quarters	136 — —
	Ditto for Hand and Bullock Puckalls at D°	— 46 2 —
	Ditto for Stationary for the Dawks	— — 12 — —
	Lieutenant Cockerell's Bill for Charges incurred on Account of Commander in Chief's Equipage, in April, May, June, and July	— — 1,524 8 —
	Captain Burrington's Bill for Coolies and Hircarrahs with the Commander in Chief this Month	1,374 — —
	Lieutenant Nichols for refitting the Commander in Chief's Quarters in December 1771	— — 822 12 3
		84,546 1 —
	11 per Cent.	9,300 1 1
		93,846 2 1
		98,213 12 10
May.	Mr. Cobham's Disbursements as above	— — 4,142 12 4
	Paid for Elephants, Camels employed with the Commander in Chief in 1771	3,108 — —
	Captain Burrington's Bill for Coolies employed at Head Quarters, Hackery Hire,&c.in April and May	636 — —
	Ditto for Coolies Hire,Bangy Wallahs, &c. with D°	728 — —
	Captain Cockerell's Bill for public and private Hircarrahs with D°	— 415 — —
	Ditto for Beasties and Gurrymen at Head Quarters	136 — —
		5,023 — —
	11 per Cent.	552 8 6
		5,575 8 6
		9,718 4 10
June.	Mr. Cobham's Disbursements as above	— — — 4,043 11 7
	Captain Cockerell's Bill for public and private Hircarrahs at Head Quarters	387 — —
	Ditto, Stationary for the Dawks in May and June	24 — —
	Ditto, for Beasties and Gurrymen at Head Quarters	136 — —
	Ditto, for repairing General Barker's Camp Equipage	— — — 676 8 —
	Ditto, for Daily People employed for repairing D°	93 — —
		1,316 8 —
	11 per Cent.	144 13 —
		1,461 5 —
		5,505 — 7

A P P E N D I X, N^o 8.

1772.

July.	Mr. Cobham's Bill, for Budgerows and Boats for the Commander in Chief and his Suite	—	4,176	14	10				
	Extra Elephants with the Commander in Chief, from 1 st January to the 30 th June	—	—	—	—	2,124	—	—	
	Quarter Master Nichols, for repairing the Commander in Chief's Quarters in January and February	—	1,968	1	1				
			4,092	1	1				
	11 per Cent.		450	2	1				
						4,542	3	2	
									8,719 2 —
Aug.	Mr. Cobham's Disbursements, as above	—	4,193	9	3				
	General Barker's Table Allowance, from January to June 1772, inclusive	—	—	—	—	30,000	—	—	
	Secret Intelligence, from D ^o to D ^o	—	—	—	—	8,000	—	—	
	Private Hircarrahs with D ^o , in July and August	—	544	—	—				
	Captain Cockerell, for Dawk Hircarrahs with D ^o , in D ^o and D ^o	—	—	—	—	230	—	—	
	Ditto, for Wax Cloth, Twine, &c. in D ^o and D ^o	—	296	—	—				
			39,070	—	—				
	11 per Cent.		4,297	11	2				
						43,367	11	2	
									47,561 4 5
Sept.	Mr. Cobham's Disbursements as above, for this Month	—	7,937	—	—				
	Captain Cockerell's Bill for Dawk Hircarrahs at the Head Quarters	—	230	—	—				
	D ^o , for private D ^o at D ^o	—	95	—	—				
	D ^o , for Beasties and Gurrymen at D ^o	—	—	—	—	100	—	—	
	Wax Cloth, Twine, &c.	—	12	—	—				
			537	—	—				
	11 per Cent.		59	1	2				
						596	1	2	
									8,533 1 2
Oct.	Mr. Cobham's Disbursements as above	—	4,376	15	7				
	Captain Burrington, for Hackeries, Sweepers, Bildars, &c. at Head Quarters, for June, July, and August	—	1,283	8	1				
	Captain Cockerell, for Private and Dawk Hircarrahs with the Commander in Chief	—	325	—	—				
	Ditto, for Beasties and Gurrymen with D ^o	—	100	—	—				
			1,708	8	1				
	11 per Cent.		187	15	1				
						1,896	7	2	
									6,273 6 9
Nov.	Mr. Cobham's Disbursements, as above	—	2,813	13	6				
	Captain Fullarton, for making Purdas at Head Quarters	—	38	8	—				

Captain

A P P E N D I X, N^o 8.

1772.

Nov.

Captain Cockerell, for Hircarrahs and Beasties employed at D^o

— 425 — —

Captain Burrington, for building a Bungalow for the Commander in Chief at Shawabad

— 1,173 13 3

11 per Cent. 1,637 5 3
180 1 7

1,817 6 10

4,631 4 4

Dec.

Mr. Cobham's Disbursements as before

— 2,339 10 4

Pay to sundry Lascars with the Commander in Chief, from 1st March 1771 to 1st September 1772

— 2,160 — —

Secret Intelligence, from 1st July to 31st December 1772

— 5,000 — —

Table Allowance, from D^o to D^o

— 30,000 — —

Captain Cockerell, for Private and Dawk Hircarrahs, Beasties, and Gurrymen, at Head Quarters

— 390 — —

11 per Cent. 37,550 — —
4,130 8 —

41,680 8 —

44,020 2 4

2,53,732 15 8

1773.

Jan.

Mr. Cobham's Bill as before

— 2,283 4 3

Captain Cockerell's Bill for Hircarrahs employed with the Commander in Chief

— 255 — —

Ditto, for Beasties and Gurrymen with D^o

— 100 — —

A Bill of Window Glafs furnished the General's House at Dinapore

— 911 13 4

11 per Cent. 1,266 13 4
139 1 2

1,405 14 6

3,689 2 9

Feb.

Mr. Cobham's Disbursements, as before

— 4,765 3 7

March.

Ditto his Ditto, as Ditto

— 4,348 15 7

Captain Cockerell's Bill for Hircarrahs with the Commander in Chief, for February and March

— 682 — —

D^o, for Beasties and Gurrymen with D^o, in D^o and D^o

— 200 — —

11 per Cent. 882 — —
97 — 3

979 — 3

5,327 15 10

A P P E N D I X, N° 8.

1773.
April.

Mr. Cobham's Disbursements, as usual	—	5,059	6	—
Captain Cockerell's Bill for Hircarrahs with the Commander in Chief	415	—	—	—
Gurrymen	—	—	19	—
	434	—	—	—
11 per Cent.	47	11	10	—
	481	11	10	—
	5,541	1	10	—

May.

Mr. Cobham's Disbursements as before	—	4,458	3	9
Captain Cockerell's Bill for Hircarrahs and Gurrymen with the Commander in Chief	—	—	464	—
Captain Burrington's D° for Coolies and Bildars with D°	—	—	991	8
Captain Fullarton's D° for Lascars attending at Head Quarters in March, April, and May	—	—	387	—
Captain Burrington's Bill, for Bildars and Sweepers at D°, from September to May inclusive	—	—	504	—
Captain Cockerell, for Elephants and Camels with the Commander in Chief, from July to December 1772	—	—	1,532	—
	3,878	8	—	—
11 per Cent.	426	10	1	—
	4,305	2	1	—
	8,763	5	10	—

June.

Mr. Cobham's Disbursements as before	—	6,682	14	10
Captain Cockerell's Bill for Dawk Expences	—	—	162	—
Ditto Ditto, his D° for D° Hircarrahs	—	—	273	—
Captain Brown's Bill for People employed with the Commander in Chief	—	—	72	—
Captain Fullarton's Bill for Beasties employed at the Head Quarters	—	—	144	—
Captain Cockerell's Bill for Gurrymen, &c.	—	—	464	—
Ditto his D° for Elephants and Camels employed with the Commander in Chief	—	—	1,074	—
Captain Burrington's Bill for Bildars and Coolies at Head Quarters	—	—	836	8
	3,025	8	—	—
11 per Cent.	332	12	9	—
	3,358	4	9	—
	10,041	3	7	—

July.

Mr. Cobham's Disbursements, as before	—	4,975	14	8
Captain Cockerell's Bill for Hircarrahs	—	—	42	—
Captain Fullarton's Bill for Lascars employed at the Head Quarters	—	—	286	—

Another

A P P E N D I X, N.º 8.

1773. July.	Another Charge for Lafcars, employed at the Head Quarters	—	—	286	—	—		
	Ditto for Beasties employed at D°	—	—	144	—	—		
	General Barker's Table Al- lowance, from 1st January to 30th June	—	—	30,000	—	—		
	Secret Intelligence, from D° to D°	—	—	6,000	—	—		
	Captain Burrington's Bill, for Coolies and Bildars at Head Quarters	—	—	701	5	6		
				37,459	5	6		
	11 per Cent.			4,120	4	4		
				41,579	9	10		
					46,555	8	6	
August.	Mr. Cobham's Disbursements, as before	—	—	3,737	13	7		
	Captain Cockerell's Bill, for Hircar- rahs	—	—	273	—	—		
	Ditto his Ditto, for Hircar- rahs, Gurrymen, &c. with the Commander in Chief, for July and August	—	—	886	—	—		
	Ditto, for Dawk Hircarrahs, Twine, &c.	—	—	60	—	—		
				1,219	—	—		
	11 per Cent.			134	1	6		
				1,353	1	6		
					5,090	15	1	
Sept.	Mr. Cobham's Disbursements, as before	—	—	4,312	13	7		
	Captain Cockerell's Bill, for Hircarrahs, Gurrymen, &c. at Head Quar- ters	—	—	354	—	—		
	Ditto, for Dawk Hircarrahs, Paper, Twine, &c.	—	—	30	—	—		
				384	—	—		
	11 per Cent.			42	3	10		
				426	3	10		
					4,739	1	5	
Oct.	Mr. Cobham's Disbursements, as before	—	—	3,456	2	11		
	Captain Fullarton's Bill, for repairing the Camp Equipage at Head Quar- ters	—	—	283	1	—		
	11 per Cent.			31	2	2		
				314	3	2		
					3,770	6	1	
Nov.	Mr. Cobham's Disbursements, as before	—	—	2,680	12	9		
Dec.	Pay to Lafcars attending at Head Quarters	—	—	216	—	—		
	Ditto to 10 Beasties D° at D°	—	—	90	—	—		
				306	—	—		
	11 per Cent.			33	10	7		
					339	10	7	
					1,01,306	7	10	

A P P E N D I X, N^o 8.

1774.

Jan.

Captain Cockerell, for Hircarrahs and Gurrymen employed by the Commander in Chief, for October and November — — — 548 — —

General Barker's Table Allowance, from July to December inclusive — 30,000 — —

Secret Intelligence, from July to December — — — 3,000 — —

Captain Cockerell, for Bearers furnished D^o — — — 141 5 —

11 per Cent. 33,689 5 —
3,706 12 6

37,396 7 6

Feb.

Paid by the Military Paymaster General to Captain Charges for Bearers, Coolies, &c. attending General Barker to Camp from Mirzapore to Adanulla — — — 3,928 9 6

41,324 11 —

Current Rupees

6,53,628 2 8

Fort William,
the 31st May 1779.

Errors excepted.

(Signed)

John Carmichael,
D^y M^y Pay^r Gen^l.

A P P E N D I X, N° 8.

Months in which the Charge is entered in the Paymaster's Disbursements.

An Abstract of Allowances drawn by Colonel Chapman whilst Commander in Chief, being from the 22d December 1773 to the 18th January 1774, and by Colonel Champion his Successor, from the 18th January to the 27th December 1774, with Expences incurred upon their Account; as extracted from the Military Paymaster General's Books.

1774. Jan ^{ry} .	Table Allowance this Month to Colonel Chapman	5,000	—	—	
	11 per Cent.	550	—	—	
					5,550 — —
	Colonel Champion's Table Allowance for Part of January	2,540	—	—	
	Hircarrahs with D°	157	—	—	
	Captain Macpherson's Bill for Beasties and Sweepers, with D°	134	—	—	
					2,831 — —
Feb ^{ry} .	Table Allowance to the Commander in Chief	5,000	—	—	
March.	D° D° to D°	5,000	—	—	
April.	D° D° to D°	5,000	—	—	
	A Bill for Stores supplied D°	957	8	—	
					5,957 8 —
May.	Table Allowance to the Commander in Chief	5,000	—	—	
	Gurymen for D°	21	—	—	
	Stores supplied D°	100	—	—	
					5,121 — —
June.	Table Allowance to D°	5,000	—	—	
July.	D° D° to D°	5,000	—	—	
	Captain Macpherson's Bill for Writers, Stationary, and Candles, for the Commander in Chief's Office, in February and March	520	—	—	
	Paid Lascars for D°, from February to June, inclusive	1,409	—	—	
	Beasties employed by the Commander in Chief, from March to June, inclusive	837	—	—	
	Coolies employed by D°, from February to D°, D°	4,210	1	9	
	Paid the Commander in Chief, 3 Bills for Dawks, in March, April, and May	6,862	—	—	
	Paid D° for Hircarrahs, from February to June inclusive	2,187	15	7	
	D°, D°, for Gurymen, from D° D° D°	135	10	—	
	D° D° for Hackerics, from March to June	973	10	—	
	D° D° for 6 Tents, for the Commander in Chief's Family	1,650	—	—	
	D° D° for 1 Desk, for D° D°, Office	215	—	—	
	Sundry Boat Bills for the Commander in Chief's Family, Sonaut R ^s 4,507.				
	This Charge I have not inserted, not being upon the Commander in Chief's own Account, nor drawn by himself.				
					24,060 5 4
August.	Table Allowance to the Commander in Chief	5,000	—	—	
Sept ^r .	Pay to Lascars for Commander in Chief, for July and August	558	—	—	
	Artificers and Coolies, with D° in D° to D°	2,030	8	11	
	Colonel Champion Secret Intelligence, 6 Months	8,000	—	—	

A P P E N D I X, N. 8.

1774. Sept.	Buxey's given by Colonel Champion to Bearers and Coolies in his Way from Calcutta to Benares	—	—	327	—	—	
	Hircarrahs in July and August	—	—	1,035	—	—	
	Gurymen in D° to D°	—	—	44	—	—	
	Hackeries in D° and D°	—	—	600	—	—	
	Boat Hire from January to July, inclusive	—	—	8,911	—	—	
	Sundry Boat Bills to Colonel Champion's Staff S' R° 1,800.						
	This Charge not inserted for the same Reason as before.						
							21,505 8 11
	October Colonel Champion's Bill for Writer and Stationary, from January to October	—	—	1,400	—	—	
	D° Two Bills for Boats	—	—	3,959	—	—	
Nov.	Sundry Charges made by the Commissary of Supplies for Stores, furnished for his Use in August, September, and October (see his Disbursements for those Months) Sicca Rupees, 1,180, or	—	—	1,233	2	5	
							6,592 2 5
	Lascars employed by Colonel Champion this Month	—	—	279	—	—	
	Artificers and Coolies by D° in D°	—	—	208	—	—	
	Gurymen — by D° in D°	—	—	22	—	—	
	European Writer by D°	—	—	140	—	—	
	Hircarrahs by D°	—	—	339	—	—	
	Boats by D°	—	—	1,273	—	—	
	Sundry Boat Bills drawn by Staff, Son' R° 1,080.						
	This Charge not inserted for the same Reason as before.						
Decr.	Commander in Chief's Salary for 11 Months	—	—	5,500	—	—	
	Table Allowance for September, October, November, and December	—	—	20,000	—	—	
	Lascars, with Colonel Champion for December	—	—	145	13	3	
	D° with D°, for September	—	—	279	—	—	
	Coolies employed by D° in December	—	—	38	5	4	
	D° D°, by D° in September	—	—	1,085	—	—	
	Secret Services, Five Months	—	—	6,666	11	—	
	Hircarrahs for September and December	—	—	1,138	—	—	
	Writer and Stationary	—	—	140	—	—	
	Gurymen for September and December	—	—	44	—	—	
1775. Jan.	Boat Hire paid this Month to his Staff Son' R° 1,620.						
	This last Charge not included, see above.						
							35,036 13 7
	Lascars employed by the Commander in Chief for October	—	—	279	—	—	
	Artificers with D° in D°	—	—	879	—	—	
	Mr. Murray's Bill for Dawk Expences with the Commander in Chief, from June to October, Sonaut R° 14,605.						
	Not included in the Abstract.						
	Captain Shewen, Four Bills for Hircarrahs, Hackeries, &c. with the Commander in Chief, in October	—	—	1,115	—	—	
							2,273 — —
							1,25,578 6 3

N. B. As the Contractor's Bill do not specify the Number of Elephants, &c. allotted for the Service of

A P P E N D I X, N^o 8.

the Commander in Chief, they cannot be inserted in this Account.

Batta, 11 per Cent. — 13,813 9 10

1,39,392 — 1

Current Rupees —

1,44,942 — 1

Fort William,
the 31st May 1779.

(Signed)

Errors excepted.

John Carmichael,
D^y M^y Pay^t Gen^l.

Extract of the Proceedings of the Board of Inspection at Fort William in Bengal, the 19th August 1779.

Read the following Letter from the Military Paymaster General.

To the Honourable Warren Hastings, Esquire, Governor General, and the other Members of the Board of Inspection.

Honourable Sir, and Sirs,

I was honoured with your Commands, transmitted me by your Secretary in a Letter I received from him, dated the 17th June, calling upon me to defend and explain the Account of the Allowances and Contingent Charges of the different Commanders in Chief, which I laid before you in my Address of the 8th of May last, as you had observed that the Accounts prepared by my Deputy, similar to those you had required of me on the 22d of April last, amounted to more than double that of the Accounts which I had delivered in to you.

In Compliance with your Orders, I have carefully perused and examined the Two Accounts, and have formed an Account of Adjustment which will point out to you, how so considerable a Difference has arisen.

I also beg Leave to enclose you the following Accounts of Particulars referred to in that Adjustment.

First, An Account of sundry Sums omitted to be inserted in the Account of the Allowances, &c. drawn by the Commanders in Chief, prepared in my Office, inclosed in my Letter to your Secretary, dated the 8th of May last.

Secondly, An Account of sundry Sums entered in that Account, which does not appear to belong to it.

Thirdly, An Account of sundry Sums omitted by Mr. John Carmichael, Deputy Military Paymaster General, in the Accounts of the Commander in Chief's Allowances and Contingent Charges, which he drew out.

Fourthly, An Account of sundry Sums he entered in that Account, which do not belong to it.

Having now fully accounted to you for the Difference, I beg Leave to lay before you another Account of the General's Allowances and Contingent Charges, which you required, as I think it ought to stand. Your Honourable Board must determine how far it is right or not, as I have found it from the Adjustment above-mentioned, rejecting all the Articles which were liable to Objection, and including such as had been left out in the former Accounts.

I am extremely sorry, Gentlemen, that the Account I at first delivered in to you, proved so very imperfect and unsatisfactory; and the only Excuse I have to urge in my own Vindication, is, that when I was favoured with your Orders upon that Subject, I was engaged in other Branches of the Business, which required all my Attention, and I could not spare that Time that was necessary, for the Performance of so laborious and voluminous a Task, as the Perusal of the Disbursements of this Office for upwards of 14 Years past; and I naturally looked upon it as the Duty of the Accountant, being the fittest Person under me to undertake Business of that Nature; but could I have possibly conceived that such a Darkness and Confusion had run through great Part of the Records of those Days, and that the Task had been so extremely difficult and intricate, I would most undoubtedly have done it myself.

The new Accounts which I have the Honour to enclose you, consist of a General Abstract of the Allowances drawn by the Commander in Chief, from the 1st of January 1763 to the 1st of September 1777, with 8 Accounts of Particulars drawn by each Commander in Chief.

I have the Honour to be, with the greatest Respect,

Your most obedient Servant,

(Signed)

Will^m Pawson,
M^y P^y M^y G^l.

Calcutta,
the 4th August 1779.

Ordered, That the above Letter, with the Accounts accompanying it, be sent in Circulation to the Members of the Board; and that Copies of the latter be entered after this Day's Proceedings.

SEL. COM. REP. V.

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An

An Account of Adjustment between the Accounts of the Allowances and Contingent Charges drawn by the Commanders in Chief, as prepared in the Military Paymaster General's Office, and those which were prepared by Mr. Jⁿ Carmichael, D^y Military Paymaster General, agreeable to the Orders of the Honourable the Board of Inspection, from the Year 1763 to September 1777.

The Amount of the above Accounts of Allowances and Contingent Charges is, by the General Abstract delivered in to the Board by Mr. John Carmichael, Deputy Military Paymaster General, Current Rupees — — — — — He also enters in his Abstracts of the Allowances, &c. drawn by Major Adams, Major Carnac, and Major Monro, fundry Sums, amounting to Current Rupees 52,768. 12. 8. which he ought to have entered likewise in the above-mentioned General Abstract; it is therefore to be considered as Part of its Amount, as the Sum Total of the 9 Abstracts of the Particulars drawn by each Commander in Chief, should have corresponded — — — — —	24,03,923 3 —	11,86,753 14 6
Sum Total of Mr. Carmichael's Accounts — — — — —	24,56,691 15 8	4,15,659 4 10
Add as follows:	52,768 12 8	3,803 4 11
Amount of General Clavering's Allowance for One Month, omitted by Mr. Carmichael — — — — — 5,000 — — Ditto of fundry Errors he made too little in his Additions in the above Accounts — — — — — 1,969 — — Amount he short-charged for Boats with the Commander in Chief, in July 1771 — — — — — 399 2 8 Amount of fundry Articles he omitted to insert in his Accounts, as per accompanying Accounts of Particulars — — — — — 1,34,099 6 10	1,41,467 9 6	11,64,602 7 10
Deduct as follows:	25,98,159 9 2	23,51,356 6 4
Mr. Carmichael over-charged in the above Accounts owing to an Error on inserting Sonaut Rupees 11,675. 10. 9. instead	— — — — —	— — — — — 5,000 — —

The Amount of the above Accounts of Allowances and Contingent Charges, as prepared in the Office of the Military Paymaster General, and delivered by him to the Honourable the Board of Inspection, on the 8th of May 1779, is — — — — —

Add as follows:

Amount of fundry Errors committed in the Additions and in the Calculation of Batta in the above Accounts — — — — — 3,803 4 11

Amount omitted to be inserted in the above Account, as per accompanying Account of Particulars — — — — — 4,15,659 4 10

Amount of Profit upon the Monopoly of Salt, and the Commission on the Revenues — — — — — 5,37,347 14 1

The Amount of General Smith's Expenses during his Command of the Army, as Commander in Chief, from the 1st of August 1769, at a Medium amounting to 5,200 per Month, is 36 Months, Sonaut Rupees 1,87,200 — — — — — 2,07,792 — —

Deduct as follows:

The Amount of General Stibbert's Salary entered in the above Accounts, which was not required by the Board — — — — — 2,42,832 1 5

The Amount of General Clavering's Allowance for One Month, over-entered in the above Accounts — — — — — 5,000 — —

A P P E N D I X, N° 8.

of Current Rupees 11,675. 10. 9. for General Barker's Salary as Commander in Chief, from the 1st of December 1769, to the 1st of December 1771		1,284	5	2
He also entered sundry Articles in his Accounts, which do not appear to be Charges belonging to the Commander in Chief, as per accompanying Account of Particulars		—	—	—
He also charged in his Accounts sundry Articles, consisting of Presents, &c. which form Part of the Disbursements delivered in to the Board by General Smith, on the 1st of August 1769, which cannot be considered as Charges belonging to the Commander in Chief		3,71,517	13	5
D° D° sundry Articles for Dawks, &c. which do not belong to the above Account		1,38,312	10	6
		3,399	14	4
		5,14,514	11	5
Current Rupees		—	—	—
		20,83,644	13	9

Fort William,
the 4th August 1779.

The Amount entered in the above Accounts which are not Charges belonging to the Commander in Chief (as Dawk Hircarrahs, &c.) as per accompanying Account of Particulars		19,879	7	2
		2,67,711	8	7
Current Rupees		—	—	—
		20,83,644	13	9

Errors Excepted.

(Signed)

William Pawson,
M^y P^y M^r Gen^l.

(67)

Extract of the Proceedings of the Governor General and Council of Bengal, in their Public Department, the 1st November 1779.

24th 35

The Governor General moves, That the Resident at the Vizier's Court may be furnished with an Account of all the Extra Allowances and Charges of the Commander in Chief when in the Field, with Orders to add the same to the Debit of the Vizier's Account, as a Part of his General Subsidy. The Charge to commence from the Day on which the General shall pass the Carumnassa, and to continue till his Return to the same Line. X

Mr. Francis—The specific Amount of the Vizier's Subsidy is fixed by the Treaty, and cannot be increased without his Consent. It is true, we may extort from him the Sum now proposed, or any other Sum we think proper, but it is against Justice, and I am sure will never be approved of by the Company; though it is proposed, I imagine, with a View of appearing to relieve them from the immediate Expence of those extraordinary Allowances, which the Governor General and Mr. Barwell have given to Sir Eyre Coote, against their positive Orders, and against Law. The Vizier has not invited Sir Eyre Coote into his Country, nor do I know of any Service which his Presence there can produce to the Vizier, which alone could furnish a Pretence for demanding any additional Subsidy from him. I am therefore against the Motion.

Governor General—This is strange Language, and what, though not unprecedented at this Board, I did not expect on the present Occasion, and with so little Provocation. When a Member of this Board shall take upon him to reprobate a Motion, either from the Head of this Department, who is compelled to propose what he thinks the Necessities of the Service require, and has not an Option to withhold it, or from any of the other Members of it, with Terms of Reproach and Obloquy, and to charge him with Extortion and Artifice, he ought at least to be certain of the Facts on which he grounds such severe Charges. The Ground assigned for those in the preceding Minute, is, that "the specific Amount of the Vizier's Subsidy is fixed by the Treaty." I will not descend to copy Mr. Francis's Language or Manners in my Reply to this Assertion; but I will desire the Board to recollect, that the Subsidy, the specific Amount of which is fixed by the Treaty, appertains only to the Brigade stationed in the Province of Owde, and that an additional Force has since been joined to this, for the Defence of the Nabob's other Dominions; the Whole of which has been, and continues to be, borne by the Nabob with his Agreement. I know not how to distinguish between that Portion of the Expence attending the Command of these Forces, and that of the regular Brigade, since they are now blended in One Command by the Regulations lately formed; and as this whole Force is stationed there solely for the Service of the Nabob of Owde, the Expence ought, in my Opinion, to be solely his.

Mr. Francis—When the Weight of an Argument is felt, there is some Relief in cavilling about Terms. As to Language and Manners, I allow that the Governor General is perfect Master of both, whenever he is Master of himself. I leave the Style of the Two preceding Minutes to be compared and judged of by others. In Reply to the last, I shall only say, that I think my Objection is not answered. The Subsidy for the Brigade in the Field is fixed by Treaty; that, I presume, we are agreed, cannot be increased at our Discretion; but if we can increase the Vizier's Expence on Account of the other Troops commanded by British Officers in his Service, according to our Judgment, I imagine it amounts to the same Thing. We create new Establishments, of which he is not apprized; we send Officers into his Country whom he has not invited thither; and we tell him, that all this is done for his Service, and that he must pay for it. I know not by what Limits that discretionary Power, if exercised by us in one Instance, especially of such Magnitude as the present, can be restrained; the Vizier certainly, who is the principal Person concerned, has no Voice in the Question.

Mr. Wheler—I am against the Question.

Mr. Barwell—I am for the Question. I have impartially considered the Arguments for and against it, and I am convinced that it will both have the Approbation of the Company, and be vindicated by the obvious Necessity that requires the Presence of the Commander in Chief in the Vizier's Dominions. Some Regulations and Orders that the Board have issued, have indeed, in their Operation, checked a few material Defects in the First Plan suggested, for giving the Nabob's Troops to British Officers uncontrouled in their Charges. These Orders have reduced them to our present Establishment, have totally annihilated those Contracts for Horses, for Bullocks, and the Liberty of charging Batta upon the Receipts of Money and our Tunçaws, as licensed by the Minister of our Government, at that Period. The great Relaxation which has been, proceeded from that Irregularity and Want of Command which the First System could not fail to produce, can never be effectually remedied by any Superintendence and Controul, at the Distance of 900 Miles; but I flatter myself that a local and spirited Discharge of that Duty which the Commander in Chief seems determined to execute, will effect the salutary Reform so much needed.

Agreed to the Governor General's Motion.

The following Letter is accordingly written to the Resident at the Vizier's Court.

24th 35

Sir,
The Commander in Chief having thought it necessary to visit the different Stations of the Army, we judge it proper that his Extra Allowances and Travelling Charges should be defrayed by the Vizier,

APPENDIX, N° 8. A

a 4 h 35

Vizier, from the Period when he shall cross the River Carumnassa until the Date of his Return to the same. We therefore enclose an Account of the Establishment fixed for the Extra Disbursements of the Commander in Chief, while in the Field, and direct that you add the Amount thereof to the Debit of the Vizier's monthly Account of Military Charges, as a Part of his general Subsidy during the above Period.

Fort William,
1st November 1779.

We are, &c.

Resolved, That the Governor General be requested to write to the Vizier, in the Terms of the Motion.

Extract of the Proceedings of the Governor General and Council, at Fort William in Bengal, in their Public Department, 20th December 1779.

Read a Letter from Mr. Purling, as follows :

Honourable Sir, and Gentlemen,

I have been this Day honoured with your Letter of the Instant, directing me to include in the Vizier's Account Current, the Allowances to the General after his passing the River Carumnassa.

The Nabob being with me on the Arrival of the Letter, I made him acquainted with your Directions. He made no Manner of Objection to it; but on the contrary said, it was what he had always been used to allow to other Officers, commanding in his Provinces, in a more liberal Manner than was now prescribed to him on the General's Account; he regretted, that it was not left to him, as he would have made it double.

I am, &c.

(Signed)

C. Purling.

Lucknow,
23d November 1779.

Resolved, That the following Reply be written to Mr. Purling:

Sir,

We have received your Letter of the 23d ultimo, in which we observe you say, that the Nabob informed you, "It was what he had always been used to allow to other Officers commanding in his Provinces, in a more liberal Manner than was now prescribed to him on the General's Account." We desire you will ascertain and report to us, what the Nabob alludes to by this Assertion, as no Demand of this Nature was ever made upon him by our Authority, nor any such Payment or Receipt entered in his Accounts. We also desire to know the particular Allowances which he has made to Officers in that Station, and the specific Amount of each nominally.

Fort William,
20th December 1779.

We are, &c.

Extract of the General Letter from Bengal, dated the 14th January 1780.

Par 59. General Sir Eyre Coote deeming it necessary to visit the different Stations of the Army, in order to form such Military Arrangements as the Service may require, and to attend to the Introduction of a new Plan of Regulations for the Improvement of your Forces on this Establishment, which has been recommended by him, revised by us in the Military Department, and proclaimed by our Authority; left the Presidency for that Purpose in September last, and is now at Allahabad or Lucknow.

(68) 60. As the Presence of the Commander in Chief will be mostly confined to the grand Posts of the Army in the Dominions of the Vizier, we thought it but just to include the Field Allowances and travelling Charges which had been annexed to his Station by our Resolution in the Inspection Department in our Demands upon the Vizier, from the Date of his passing the Carrumnassa, as the Vizier, exclusive of the fixed Subsidy for One Brigade stationed for the Defence of his guaranteed Dominions, is bound to discharge the actual Expences of all the Troops employed for the Protection of the Countries lying beyond that Line. We therefore wrote to the Resident to this Effect, and he has acquainted us with the Vizier's ready Assent to his Proposal.

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112. Strong Objections having been made to the Allowances, which we informed you in our Address of the 22d of April last, had been allotted for the Commander in Chief when in the Field; and as you may be desirous of forming your Judgment of the Propriety of them on a Comparison of their Amount with the various Articles of fixed and contingent Allowances drawn by his Predecessors in the chief Command of the Military Establishment of this Presidency when in the Field, the Governor General proposed, and it was ordered, that Abstract Accounts should be compiled by the Military

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Paymaster

A P P E N D I X, N^o 8.

Paymaster General, of all the Allowances and contingent Charges, of whatever Nature, which had been drawn by the different Commanders in Chief since the Year 1763 to the Commencement of Brigadier General Stibbert's Command; specifying the gross Amount of each Article drawn by each Commander in Chief respectively, the Time for which it was drawn, and the Amount of such Parts of the general Charges of the Army, as were appropriated to the particular Rise of the Commander in Chief. Our Opinions on the Governor General's Motion are recorded in the same Day's Consultation.

Extract of the Proceedings of the Governor General and Council at Fort William, in their Secret Department, 3d April 1780.

Read the following Letter and Enclosures from Mr. Purling.

Honourable Sir, and Gentlemen,

I have been duly honoured by the Receipt of your Letter of the 20th ultimo, requiring that I will ascertain and report to your honourable Board, what the Nabob alluded to by his Assertion that, "he had made more liberal Allowances to other Officers commanding in his Provinces, than was now prescribed him on the General's Account."

Enclosed I have the Honour to transmit you Copy of my Letter to the Nabob upon the above Subject, and his Answer, in which he accounts for the Delay which has happened in obtaining it.

I am, &c. &c.

(Signed) C. Purling.

Lucknow,
26th January 1780.

Enclosures in a Letter from Mr. Purling.

N^o 1. Copy of a Letter from the Nabob Ummeer ul Dowla, Cutubul Moulk, Mr. Purling, Behadre, to the Nabob Vizier, dated the 23d Zeheija, 2d January 1780.

I wrote you on the Subject of the Expences of the Nabob Inseeram ul Dowla, General Sir Eyre Coote, Behadre, at the Time I received Orders from the Council, that from the Time of the General's crossing the Carumnassa, his Expences should be written in your Highness's Accounts; and you said in Answer, that if the Council had written in these Terms to your Highness about the General's Expences, and had left the Power of it to you, you would even have given him more for his Expences than the Council should have directed, as you do to other Gentlemen. I am entirely ignorant of the Purport of your Answer, and request your Highness will be pleased to explain it to me.

N^o 2. Letter from the Nabob to Mr. Purling.

I have received your Letter informing me, &c. (repeating Mr. Purling's Letter.)

Sir, I said that it was unnecessary for the Gentlemen of the Council to write thus about the Allowance to the General, as they never before had done it in any Instance. As the Friendship between me and the English Gentlemen is very intimate, I should of my own Accord have supplied the General with every Thing necessary. What you write that I should inform you of other Particulars, is not proper; but on the contrary, very improper. I never gave any thing to the English Gentlemen, and if I had given any thing I should never mention it. The Enquiry into these Matters is very improper in you. I have been long in answering your Letter, on account of the Fast of the Mohurram.

Extract of the Company's General Letter to Bengal, 18th October 1780.

Par. 4. Your Proceedings relative to several extra Allowances granted to Sir Eyre Coote, have been but a few Days before us; by an early Opportunity we shall give you our Sentiments and Instructions fully upon that Subject. At present we only observe, that these Allowances appear to us in a Light so very extraordinary, and so repugnant to the Spirit of a Resolution of the General Court of Proprietors, respecting the Allowance made to General Clavering, that we positively direct that they be discontinued immediately, and no Part thereof paid after the Receipt of this Letter.

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A P P E N D I X, N^o 9.

Copy of the 60th Article of the Company's General Instructions to the Governor General and Council of Bengal, of the 29th March 1774.

WE hereby direct, that the Commander in Chief of the Company's Forces in India be permitted, when in Bengal, to enjoy the House in Calcutta usually assigned to and occupied by the Superior Military Officer of our Troops in that Province; and that when our Commander in Chief shall be sent upon the Company's Service to any of our other Presidencies, an House suitable to his Rank be likewise assigned for his Use during his Residence at such Presidency; and that there be paid to him the Sum of £. 6,000 Sterling per Annum, in full for his Services as Commander in Chief, and in lieu of travelling Charges, and of all other Advantages and Emoluments whatever, except the Salary of £. 10,000 per Annum, established by Law, and ordered to be paid to him as one of the Council at Fort William in Bengal.

A P P E N D I X, N^o 10.

Extract of Letter from the Court of Directors to the Governor General and Council at Fort William, dated 28th November 1777.

Par. 49. **I**N the 31st Article of our Instructions, dated the 29th March 1774, we recommended the strictest Frugality in your Approval of Salaries to be paid by the Company to the Officers of the Supreme Court of Judicature. Upon the Receipt of your Advices, specifying the Amount of Fees and Salaries appointed and annexed to the said Officers, we expressed our Opinion, that they were very high, but acquiesced therein for the present; suggesting, however, our Hopes, that in case any Alteration should take place, you would not agree to any Plan that should not be formed with more Economy, until you should have transmitted the same to us for our final Determination.

Par. 50. The 11th Paragraph of your Letter of the 12th of February 1777 informs us, that the Judges had sent you a List of additional Offices, and a Proposal to encrease the Fees to other particular Offices already established; and, to our Astonishment, we find that you have approved the Proposal of the Court, and granted your Consent to the Encrease of Fees and additional Establishments.

Par. 51. And here we have to lament, that the same Majority of Council, whose Conduct we have so highly censured, have again exercised their Authority in manifest Disregard of the Intimations given in our Instructions, and in Opposition to the most unanswerable Arguments urged to the contrary by General Clavering and Mr. Francis; who had also protested against the unreasonable and excessive Salaries and Emoluments, as established by the Judges of the Supreme Court of Judicature for the Officers of that Court at its first Institution.

Par. 52. We observe it stated by Mr. Francis, that the Salaries of the Officers of the Court, exclusive of the Judges themselves, as they stood before the late Addition, amount to Current Rupees 1,23,436, besides their Fees; to this must be added House Rent, at the Rate of Current Rupees 4,428 per Annum, and contingent Charges, which are indefinite. It is now proposed to hire another House, which he concludes will not be done for less than 500 Rupees a Month; and he states the Expence of the new Officers Salaries at upwards of Thirty-two thousand Rupees per Annum, besides the additional Allowance of Fees.

Par. 53. When we consider this Profusion of Expence, we cannot but express our Concern, that the Power of granting away our Property in Perpetuity, should have devolved upon Persons whose Complaisance to the Court has, in our Opinion, exceeded their Attention to the Interest of the Company.

PROCEEDINGS of the Governor General and Council, in consequence of the Court's Orders of 4th March 1778, for commencing a Suit against Mr. Barwell.

Copy of the 97th Paragraph of the Company's General Letter to Bengal, dated 4th March 1778.

As Mr. Barwell has acknowledged that the Salt Mahls of Savageporé and Selimabad belonged to him, that he relet them to Kojah Kaworke, in the Names of Bussunt Roy and Kissen Deb,

on Condition of his accounting with him (Mr. Barwell) for the Profits to a certain Amount; as he has also declared, that if a Wish of adding to his Fortune has warped his Judgment, he will nevertheless submit all his Rights in the Salt Contracts to the Court of Directors; and that, if in our Opinion such Rights vest in the Company, he will account to us for the last Shilling, and abide implicitly by our Judgment; we therefore think it probable that Mr. Barwell, on being acquainted with our peremptory Orders for commencing a Prosecution, may be desirous of paying his Share of Profits on the Salt Transactions at Dacca into our Treasury; but should this be the Case, you must be well advised before you agree to receive the Money, that the Acceptance of any particular Share of the said Profits for the Use of the Company, will not prejudice their Claims upon any of the other Persons or Parties concerned, for the Remainder of the said Profits.

Extract of the Proceedings of the Governor General and Council of Bengal, in their Public Department, the 5th October 1778.

The Secretary informs the Board, That he has caused the Paragraphs of the General Letter from the Honourable the Court of Directors, dated the 4th March 1778, to be distributed to the other Departments, as follows.

To the Board of Revenue, Paragraphs, 77, 78, 79, 92.

Extract of the Proceedings of the Governor General and Council of Bengal, in their Public Department, the 11th January 1779.

Mr. Barwell delivers in the following Minute.

Mr. Barwell—My Silence on the Orders of the Court of Directors, as far as those relate to myself, has hitherto been influenced by the same Candour that led me to instruct my Agents in England to bring the Question forward, relative to the Right of the Company to the Advantages I am charged to have drawn from manufacturing the Salt at Dacca, while Chief at that Subordinate. Sir John Day, whose Arrival was daily expected, I wished to wait for, in order to avoid the Appearance of participating this Question to a legal Decision. A few Days now must either land Sir John Day in Bengal, or bring certain Intelligence that he has been intercepted in his Passage, and is not to be expected, having failed in the Southampton in Company with the Nassau, Ten Days before the Besborough left the Coast, which last Ship has been arrived here upwards of Twelve Days.

To continue silent any longer might be interpreted a Wish in me to decline the Trial that, through my Agents in England, I have demanded; a Wish the most distant from my Thoughts, for I desire nothing more ardently. Confident, that whether the Right of the Company to claim from me shall or shall not be established, it affords me the only Opportunity I can have to vindicate my Fame, and dispel the Cloud Artifice has thrown over this Transaction.

Was I to answer the Claim of the Company, it would indeed relieve me from the Trouble of vexatious Litigation, but the End would not be answered by my Compliance; so far from it, the very Compliance would be urged as a Confession of Delinquency on my Part, and to proceed from Conviction of my having usurped on the Rights of the Company. Though I would with Pleasure sacrifice my whole Fortune to insure the good Opinion of the World, I would not, to purchase Ease to myself, forfeit that Opinion. If I have encroached on the Rights of the Company; if I have benefited myself at their Expence, the Fact will be easy to establish. I have no Choice left (for as no Merit has been given me for the Offer I made to submit myself to the Company, and as a most unjustifiable Advantage has been attempted to be made of that Offer, by first declining it and descending to Abuse, and then giving Orders upon it as if it had not been rejected, when called upon by me, in the Person of my Agent, to bring Home the Charge of Delinquency) but to appeal to the Laws of my Country; those, I flatter myself, will decide the Question unequivocally; and should their Decision deduct from my Fortune, I am satisfied they will likewise do Justice to my Character, which has been both unfairly and injuriously treated.

As the State of my Health has long since rendered it necessary for me to return to Europe, I have waited only for a proper Opportunity. The Season is now far advanced, and will not allow me much longer Time to take my Resolution (essentially as I ought to consider myself concerned in whatever Arrangement may have been made for the Constitution of the new Government.) I could therefore with the Claim made upon me by the Court of Directors, in their Letter of the 4th March 1778, brought as speedily to Issue as the Forms of a Court of Justice will admit; and in consequence move, That it be immediately submitted to the Company's Lawyers, and that they be properly instructed to prosecute upon it.

Mr. Francis—The same Motive which appears to have had Weight with Mr. Barwell, has hitherto restrained me from moving to carry the Company's Orders into Execution; I mean the Absence of the Company's Advocate General, whose Advice and Assistance we are expressly referred to. I can have no Objection to the Motion; hoping still that Sir John Day will arrive Time enough to take Charge of the Proceedings. As an Amendment, or rather an Addition, to Mr. Barwell's Motion, I beg

A P P E N D I X, N^o 10.

beg Leave to move, That it be extended to all the Persons mentioned in the Company's Orders above quoted.

Mr. Barwell—I could wish Mr. Francis to decline his Amendment, and to allow my Motion to stand simply as proposed; and I am willing to flatter myself with his Acquiescence. I do not imagine he thinks there is any urgent Necessity to induce him to insist upon it.

Governor General—I agree to Mr. Barwell's Motion. That introduced by Mr. Francis, I consider as a new Question, totally foreign from the original one; and I object to it for the following Reasons: The Prosecution cannot be conducted, either so ably or effectually, under the present Constitution of our Law Department, as by the Advocate General appointed by the Company. Should any material Defect or Omission be found in the First Process, I much fear, from the Prejudices with which the Acts of Part of this Administration have been examined at Home, that they will be imputed to Design. Besides, I cannot agree to involve Mr. Barwell's Prosecution with that of others, and to make him the ostensible Instrument of them, by ordering them, in consequence of a Proposal made by him. Many Suits commenced at the same Time, under our present Want of Knowledge in legal Forms, would only serve to embarrass, and give Occasion for the Defects of which I have expressed an Apprehension. I do not think that it is so likely to prove the Case if the Suit against Mr. Barwell be singly undertaken; and before much Progress can have been made in it, it is very likely that the Board will be furnished with the Relief and Aids expected from Sir John Day's Arrival. His Passage has not yet been unusually long for the Season of the Year in which he embarked. Whenever he arrives, I will promise to be the first, if I am permitted, to renew the Motion now made by Mr. Francis.

Mr. Francis—I acquiesce.

Mr. Wheler—I agree to Mr. Barwell's Motion.

Agreed to Mr. Barwell's Proposition, and ordered accordingly.

Ordered, That the Secretary do notify to the Secretary to the Revenue Department, that the Board have resolved, in Conformity to the Orders of the Court of Directors of the 4th March, to prosecute the Company's Claim on Mr. Barwell, in the Supreme Court of Judicature: That the Commissioner of Law Suits must therefore be furnished with such Informations and Documents from the Revenue Department as may be necessary for conducting the Suit.

Ordered, That the Commissioner of Law Suits be also advised of the Board's Resolution.

Extract of the Diary of the Commissioner of Law Suits, at Calcutta in Bengal, 13th January 1779.

Received the following Letter from the Secretary to the Honourable the Governor General and Council.

To George Bogle, Esquire, Commissioner of Law Suits.

Sir,

I am directed by the Honourable the Governor General and Council, to acquaint you with their Resolutions, "That the Claim made upon Mr. Barwell by the Court of Directors, in their Letter of the 4th March 1778, shall be immediately submitted to the Company's Counsel, and the Attorney properly instructed to prosecute him upon it." You will therefore receive Instructions to this Effect from the Secretary of the Revenue Department, with such Informations and Documents as he may be able to furnish you with, for the Execution of them.

Council Chamber,
the 11th January 1779.

I am, Sir,

Your most obedient humble Servant,

(Signed) J. P. Auriol,

Secy.

Extract of the Proceedings of the Governor General and Council of Bengal, in their Revenue Department, the 19th January 1779.

Read the following Letter from the Secretary of the General Department.

George Hodgson, Esq^r Secretary to the Revenue Department.

Sir,

The Honourable the Governor General and Council, in consequence of the following Motion from Mr. Barwell, "That the Claim made upon him by the Court of Directors, in their General Letter of the 4th March 1778, be immediately submitted to the Company's Lawyers; and that they may be properly instructed to prosecute upon it;" having resolved to prosecute the said Claim in the Supreme Court of Judicature, I am to desire that you will furnish the Commissioner of Law Suits with Instructions to the Effect of the Motion, and such Documents and Information as may be necessary for the Purpose intended.

Council Chamber,
11th January 1779.

I am, &c.

J. P. Auriol,

Secretary.

A P P E N D I X, N^o 10.

The Secretary acquaints the Board, that immediately on the Receipt of the foregoing Letter, he caused the necessary Papers and Information for the Guidance of the Commissioner of Law Suits to be prepared; that they are now ready, and will be transmitted to the Commissioner with Instructions, to the Effect of the Board's Resolution, in the Course of this Day.

Extract of Diary of the Commissioner of Law Suits at Calcutta, 20th January 1779.

Received the following Letter from the Secretary to the Board of Revenue:

To George Bogle, Esquire, Commissioner of Law Suits.

Sir,

The Honourable the Governor General and Council having resolved, "that the Claim made by the Court of Directors upon Mr. Barwell, in their Letter of the 4th March 1778, be immediately submitted to the Company's Lawyers, and that they may be properly instructed to prosecute upon it in the Supreme Court of Judicature," I am to desire that you will prosecute the said Claim accordingly. For this Purpose you will herewith receive an Extract of the Company's General Letter of the 4th March 1778, with the Opinions of the Company's Standing Counsel and Solicitor, referred to in it; together with such other Papers and Documents as appear to me necessary for your Information and Guidance. Should any further Materials appear to you necessary for the Prosecution of this Cause, I request that you will be pleased to inform me, that they may be furnished you accordingly.

I am,

Revenue Department
Fort William,
19th January 1779.

Sir,

Your most obedient Servant,
(Signed) Geo. Hodgson,
Secretary.

Extract of Diary of the Commissioner of Law Suits at Calcutta, the 22d January 1779.

In Consequence of the Letter from the Secretary to the Board of Revenue, of the 19th Instant, gave the following Instructions to the Company's Attorney:

Mr. Naylor.

Sir,

The Honourable Governor General and Council having resolved, "that the Claim made by the Court of Directors on Mr. Barwell, in their Letter of the 4th March 1778 (Extract of which goes enclosed) be immediately submitted to the Company's Lawyers, and that a Prosecution be forthwith commenced against Mr. Barwell, in the Supreme Court of Judicature," I now transmit to you the Proceedings of the Board, and other Papers relative to this Claim, agreeable to the enclosed List, as Materials for instituting a Suit in pursuance of the Orders of the Court of Directors, and the Honourable Board.

I am, &c. &c.

Extract of the Proceedings of the Governor General and Council of Bengal, in their Public Department, the 15th March 1779.

Mr. Barwell—I have already expressed my Wish, that the Claim made upon me by the Court of Directors, in their Letter of the 4th March 1778, might be brought as speedily to Issue as the Forms of a Court of Justice would admit; and on the 11th January last it was resolved and ordered, that a Prosecution should be immediately commenced to establish the Rights of the Company. As a Delay proves vexatious to me, in the greatest Degree, I think it necessary, after having waited Two Months, to remind the Board of their Resolution of the 11th of January, and to desire that it may be repeated, both to the Attorney at Record, and Sir John Day, the Advocate General.

Resolved, In the Terms of Mr. Barwell's Motion.

The Governor General—I move, that Copies of the 77th, 78th, and 79th Paragraphs of the General Letter of the 4th of March, together with the Report of the Company's Solicitor General, of the be delivered to our Advocate General; and that he be directed to conduct the Prosecution ordered by the former; and that the Secretary to the Revenue Department do furnish him with all the Evidences contained in the Consultations of his Department, which may serve to establish the Company's Claims on the several Persons who are the Objects of them, and at this Time subject to the Jurisdiction of the Supreme Court.

Resolved according to the Governor General's Motion. The Secretary is therefore directed to issue the necessary Orders to the Advocate General, and to the Secretary of the Revenue Department.

Extract

A P P E N D I X, N^o 10.

Extract of the Proceedings of the Governor General and Council, in their Revenue Department,
18th May 1779.

The Secretary lays before the Board the following Letter, which he has received from the Company's Attorney.

To Geo. Hodgson, Esquire, Secretary.

Sir,

I must request that you will inform the Honourable Board, that in the Suit which I have lately been directed to institute against Mr. Barwell, it is the Opinion of the Advocate General that it cannot with Propriety be instituted against Mr. Barwell alone, but must be brought against all the Gentlemen pointed out, as well by Mr. Smith, the Company's Solicitor in England, in his Report, as by the General Letter of the Honourable the Court of Directors. It would not be sufficient that Mr. Barwell would stand forth, and take upon himself the whole Responsibility, if other Persons appear to be interested. It is a Principle in Equity, that all interested Parties must be before the Court, or otherwise they will not make a Decree. The Court will, in all such Cases, know who were the Parties engaged, and judge who ought to be the responsible ones. I beg therefore to be favoured with the Resolutions of the Honourable Board, whether I am to file the Bill against all these Gentlemen now in Bengal, who appear to have been concerned in the Transaction.

I am,

Sir, &c.

Calcutta, 14th May 1779.

(Signed)

N. Naylor,
Attorney to the Honourable Comp^y.

Ordered, That the Attorney be informed, that the Board approve of the Mode which he has recommended; but they leave it to him to adopt that, or any other, which may be best calculated to answer the Intentions of the Court of Directors relative to the Suit against Mr. Barwell.

Extract of the Proceedings of the Governor General and Council of Bengal, in their Revenue Department; dated 30th July 1779.

The Secretary lays before the Board the following Letter, which he has received from the Company's Attorney.

To Geo. Hodgson, Esquire, Secretary to the Honourable Board of Revenue.

Sir,

The Bill for the Recovery of the Monies received by the Servants of the Honourable Company from the Salt Farms in the Province of Dacca, being now prepared agreeable to the Instructions of the Advocate General, and in Conformity to the Report of the Solicitor at Home, includes no less than Seventeen Persons as Parties, most of them resident at different Parts of the Provinces, and some of them Natives of inconsiderable Note; in serving the Process of the Court on whom, great Difficulty and Delay may reasonably be expected. And as I am induced to collect, from the original Instructions of the Honourable and the Directions which I have since received to expedite the Suit, that it is not only their Wish, but their Expectation, speedily to receive a Decision thereon, I think it my Duty to apprise the Honourable Board of the above Circumstances before the Bill is filed, and some of the Parties served with Process to answer.

I am, &c.

Calcutta, 30th July 1779.

(Signed)

N. Naylor,
Attorney to the Hon^{ble} Compr.

Extract of Letter from the Governor General and Council of Bengal, in their Public Department, to the Court of Directors, dated 1st February 1779.

Par. 36. We beg Leave to point out to your Perusal, the Minutes noted in the Margin; by these you will be informed that Mr. Barwell, after having waited long in Expectation of the Arrival of Sir John Day, moved, that the Suit which you had ordered to be instituted against him, might no longer be delayed, as the State of his Health had long since rendered it necessary for him to return to Europe, and the Season being far advanced, did not allow him much longer Time to take his Resolution. The Governor General deeming it of the most essential Consequence to the Success of the Measures undertaken with Mr. Barwell's Sanction and Concurrence, to engage his Stay for the Support of them, earnestly intreated him to lay aside his Intention of going to Europe; which in Consequence he has accordingly done.

Extract

A P P E N D I X, N^o 10.—N^o 11. (A)

Extract of Letter from the Governor General and Council of Bengal, in their Revenue Department,
to the Court of Directors, dated 29th March 1779.

Par. 29. At the particular Instance of Mr. Barwell, we have directed your Attorney on Record to prosecute the Company's Claim upon him; and the Advocate General has been directed to bring this Matter to issue as speedily as the Forms of a Court of Justice will admit: We have also directed the Advocate General to commence and conduct the Prosecutions ordered in the 77th, 78th, and 79th Paragraphs of your General Letter, dated 4th March 1778.

Extract of Letter from the Governor General and Council of Bengal, in their Revenue Department,
to the Court of Directors, dated 10th January 1780.

Par. 51. In the Paragraph of our Letter by the Gatton, we apprized you of the Suit which we had directed to be commenced against Mr. Barwell in Obedience to your Commands of the 4th March 1778. The Company's Attorney having acquainted us that it was the Opinion of the Advocate General, that the Suit could not with Propriety be instituted against Mr. Barwell alone, but that it must be brought against all the Gentlemen pointed out, as well by Mr. Smith, your Solicitor in England, in his Report transmitted to us, as by your Commands above quoted, and that it would not be sufficient that Mr. Barwell should stand forth, and take upon himself the whole Responsibility, if other Persons appeared to be interested; requesting at the same Time Instructions for his Guidance: We accordingly directed the Attorney to adopt any Mode which might appear to him best calculated to answer the Intentions of your Honourable Court, relative to the Suit against Mr. Barwell.

52. We have been since apprized by the Company's Attorney, that great Difficulty and Delay are likely to be expected in serving the Process of the Court on the Parties included in the Bill, which amount to no less than Seventeen Persons; most of whom are resident at different Parts of the Provinces, and some of them Natives of inconsiderable Note.

A P P E N D I X, N^o 11. (A)

Copy of a Letter from the Governor General and Council to Brigadier General Goddard, dated
20th April 1780.

Sir,

WE now transmit you our Sentiments on the Subject of your Letter of the 29th January and 17th of February, which have not been replied to.

We are much concerned to observe, that your Conduct, which has been so deserving in general of our warmest Approbation, should, in some Instances, be less satisfactory to us.

Our Orders respecting the Pension you had granted to Ragoba, were positive and peremptory, and we expected you would have literally obeyed them; but we are concerned to find, by your Letters of 17th of February, that you even intended to advance him 50,000 R^s for the Month of March. We now therefore repeat our Orders, and positively direct, that not a Rupee shall be advanced in future from your Treasury for the Supply of Ragoba. We informed you, in our Letter of 29th November 1779, that it was with the utmost Difficulty we are enabled to furnish Supplies for your necessary and unavoidable Expences; and we still hope, that on reconsidering this Part of our Letter, you have determined to pay a strict Obedience to our Orders.

We are pleased to observe that you have proposed to make certain Regulations for the Diminution of your Expences: Your Example and determined Resolution to check every unnecessary Charge, will, we hope, produce the desired Effect.

Our Resources are no longer equal to the Payment of your Army, without draining Bengal entirely of its Specie; nor can any Acquisition on the other Side of India compensate for the Distresses which a Continuance of the War, at the present Expence, would bring upon the Company; we therefore most earnestly recommend to you to observe the strictest Economy in your future Disbursements; and we shall point to you such Savings as we think may be made without Injury to the Service.

The 1st Regiment of Cavalry is kept up at a very heavy Expence, which we think has not been compensated for by any Services which it has performed, or to be expected from it in future; we therefore authorize and positively direct you to reduce this Regiment.

The Commander in Chief has communicated to us your Letter of the 4th of March, by which we find that Major Fullarton, with Eight Companies of Sepoys, was in Garrison at Ahmadabad. We direct,

A P P E N D I X, N° II. (A) (B)

direct, if this has not been already done, that Fatty Sing be called upon to fix a Subsidy for the full Expence of these Troops, and of any other of our Forces which may be detached for the Defence of the Countries ceded to him, independent of the general Plan of the Campaign.

We wish you to return a Part or the Whole of the Fort Saint George Detachment, as soon as the Season will permit, and you can dispense with their Services, as the whole Expence of the different Corps will fall upon this Government, which is (as we must repeat) unequal to so accumulated a Charge.

We are, &c.

Warren Hastings,
P. Francis,
Ed. Wheler.

(B)

Extract of Secret Consultation, the 29th of May 1780.

P R E S E N T,
The Governor General,
Mr. Francis,
and
Mr. Wheler.

The Governor General delivers in the following Minute :

The Commander in Chief has repeatedly declared, That the Detachment now at Ghode, under the Command of Captain Popham, is unequal to the Services in which it has been employed, and of course much more unequal to that in which the Rana is desirous of engaging it; such has also been the declared Opinion of the Board. It is in its present Form, as it has already been observed, irreconcilable with the Treaty concluded with the Rana of Ghode; which apportions the Rate of the Subsidy which he is to pay for such Military Aid as is afforded him by this Government to Battalions of Sepoys on their present Establishment.

It will be recollected, that Captain Popham's Detachment was formed for a very different Service from that in which it is now employed, consisting of 2,000 Drafts, 40 European Artillery, a small Party of Horse, with Four light 6 Pounders, and a Howitzer. This Force was extremely well calculated for the Service originally intended to have been performed by it, and as ill calculated for the present. Instead of Four regular Battalions of 800 Rank and File, each with 8 Guns, the Rana has been furnished with 4 weak Corps of 600 Men each, 4 Guns, and a Howitzer, and a Body of Horse, which he neither wanted nor applied for, and which he will probably object to admit into the Account of his Subsidy.

On a Requisition from the Four Captains who commanded the Drafts in Ghode, to be permitted to encrease their present Corps to Battalions, the General observes to us, "that those Sepoy Drafts are supernumerary to the Establishment; and presumes Government has no Idea of augmenting their Number by completing them to the Strength of Four regular Battalions." From those Reasons, and from a Desire to contract our Expences by every reasonable Means, I submit to the Board the following Propositions :

1st. That Captain Popham's Detachment be relieved by Four regular Battalions of Sepoys with the Guns, &c. &c. viz. Three Battalions from Cawnpore, and the Battalion of Light Infantry from Chuckey.

2d. That Captain Popham, when relieved, shall march to Cawnpore; the Sepoys to be incorporated into such of our Battalions as may be in want of Men; the Cavalry to join their Corps; the Artillery to be disposed of as the Commander in Chief shall judge proper; and the Officers belonging to the Army in Guzerat to join it by such Routes as they shall judge most practicable.

3d. That the Staff Officers of Captain Popham's Detachment shall be ordered to do Duty, and to hold their present Appointments, in the Detachment which shall relieve them.

4th. That the Battalion of Light Infantry commanded by Captain James Brown, be ordered to march immediately to Ghode.

5th. That Major Camac be ordered to proceed immediately to Ghode, or wheresoever the Detachment may be which is to relieve Captain Popham, and to take the Command of it.

6th. That the Bullocks attached to the Guns of the Battalion and Stores, and to the 18 Pounders ordered to join Captain Popham's Detachment, be furnished by the Contractor from his present Establishment.

7th. That as a considerable Time will be lost if the Resolution of the Board respecting Major Camac and the Battalion of Light Infantry are carried into Effect through the official Channel of the Commander in Chief, who did not propose leaving Lucknow until the Commencement of the Rains; agreed, that the Orders to Major Camac and Captain Brown be immediately sent from the Board, and issued in General Orders.

A P P E N D I X, N^o II. (B)

8th. That a Copy of these Resolutions be immediately transmitted to the Commander in Chief, and that he be requested to issue the necessary Orders for forming the Detachment at Cawnpore, which is to relieve Captain Popham's.

I shall now beg Leave to offer a few Remarks on the Propositions.

By relieving Captain Popham's Detachment with Four regular Battalions, we strictly comply with the Terms of the Treaty and the Rana's Acquisition. It will prove a Reduction of our Expences, as the Battalions now proposed are at present upon a War Establishment, and the Subsidy will, or ought to defray every Expence of the Detachment. By employing Captain Brown's Battalion on this Service, we render a Corps formed for actual Service of real Use; at present it is in Cantonments, as the Purpose for which it was originally raised has been long since accomplished, and the Districts to which it principally appertained have been placed under the Controul of the Collector of Boglepore. Captain Crawford's Corps, which by the Regulations is to be completed to the Strength of a Battalion, which it may by a Part of the Drafts ordered now to be relieved from Ghode, will be fully sufficient for the Protection of Ramgur and the Jungleterry of Chucky.

With respect to Major Camac, I shall briefly observe, that I have recommended him for the Command of the Detachment which is to be employed in Ghode, because he belongs to the Brigade which is to furnish the principal Force of which it is to consist; because I know him to be peculiarly qualified for a Service of this Nature, to which such Requisites are essential, and because I believe the other Members of the Board entertain a similar Opinion of him.

Agreed to the Proposition recommended by the Governor General; and that the following Letter be written to the Commander in Chief.

Sir,

We have received your Letters of the 5th, 11th, and 15th Instant.

We agree with you in Opinion, that the Detachment now at Ghode under the Command of Captain Popham, is not equal to the Service on which it has been employed, and yet less to that in which the Rana is desirous of engaging it. From these Reasons, and from a Desire to contract our Expences as much as possible, we have resolved,

First. That Captain Popham's Detachment be relieved by Four regular Battalions of Sepoys with their Guns, &c. viz. Three Battalions from Cawnpore, and the Battalion of Light Infantry at Chucky.

Second. That Captain Popham when relieved shall march to Cawnpore; the Sepoys to be incorporated into such of our Battalions as may be in want of Men; the Cavalry to join their Corps; the Artillery to be disposed of as the Commander in Chief shall judge proper: and the Officers belonging to the Army in Guzzerat, to join it by such Routes as they shall judge most practicable.

Third. That the Staff Officers of Captain Popham's Detachment shall be ordered to do Duty, and to hold their present Appointments, in the Detachment which shall relieve them.

Fourth. That the Battalion of Light Infantry commanded by Captain James Brown, be ordered to march immediately to Ghode.

Fifth. That Major Camac be ordered to proceed immediately to Ghode, or wheresoever the Detachment may be which is to relieve Captain Popham, and to take the Command of it.

Sixth. That the Bullocks attached to the Guns of the Battalion and Stores, and to the 18 Pounders ordered to join Captain Popham's Detachment, be furnished by the Contractor from his present Establishment.

And we desire that you will be pleased to give the necessary Instructions for carrying these our Resolutions into immediate Effect; but as a considerable Time would be lost, were the Orders to Major Camac and to Captain Brown commanding the Battalion of Light Infantry, to pass through you, we have directed our Secretary to communicate them immediately to those Officers.

A P P E N D I X, N° II. (C)

(C)

Extract of Minute of the Governor General, entered in Consultation of 12th June 1780.

Governor General—The Members of the Board have been furnished with Copies of the Letters which have been written by Moodajee Boosla and his Dewan, to Beneram Pundit, their Vackeel or Minister at this Government; containing, in a very long Detail, the Motives and Views of the Government of Berar. These I think improper to be entered on our Records, but I recommend them to the Attention of the Board, in their Consideration of the Conduct which we are to observe towards that Government.

From the Declarations made in these Letters, and from other Advices, it appears, that, urged by the Demands of the Administration at Poona, and the Menaces of the Nabob Nizam ul Mullock, the Rajah hath levied a considerable Force, said to consist of 50,000 Horse, ostensibly destined to co-operate with the Peishwa, by invading Bengal and the Dominions of our Ally the Nabob of Oude. That One Division of 30,000 Horse, commanded by Chimnajee Boosla, the Rajah's second Son, has been accordingly dispatched to our Frontier by the Road of Cuttack, and has been some Time since arrived in the Neighbourhood of that City, where it is proposed that it shall canton during the Rainy Season.

The Rajah and his Dewan both profess the most steady Attachment to the Company, and a Resolution to preserve the Peace and good Understanding which have subsisted between that Government and the English, since the Period in which the latter first obtained a Share in the Political Concerns of these Provinces.

These Professions have been repeated in all their Letters, and sanctified by the most solemn Attestations. However suspicious such voluntary Protestations may generally appear, there can be no valid Reason for refusing a certain Degree of Credit to them on the present Occasion, as they are perfectly consistent with what we know to be the Interest of the Boosla Family, and with the Conduct which it has invariably observed towards the Government of Bengal, from the Accession of Jannoojee to the present Time. Its natural Enemies are the Chiefs whose Dominions border immediately upon the Districts of Berar, and lie in many Places intermixed with them; that is to say, the Peshwa, Nizam Ally Cawn, and Mahadajee Scindia. The Company cannot be regarded in the same Light, because the Line of Country which joins their Possessions to Berar, is so wild and uncultivated, that no Cause of Competition can arise respecting it; and the Territories of each in those Parts, yield little Advantage to the Proprietors. The Claim of the Berar Government to the Chout of these Provinces is so antiquated, that though it might be revived as a Pretext, it could never operate as an Inducement to invade them, on any other Principles than those which are the Grounds of original Conquests; nor could such an Enterprize be formed without great and certain Hazards, a Length of Hostilities, and a proportionate Expence, to which the Resources of Berar are inadequate, and the Exposure of its own internal Possessions to the Ambition and Rapacity of its Neighbours.

The Habits of a long Intercourse of Friendship, and the Benefits which are mutually and equally derived by both Governments, from a Continuance of the same Degree of Union, may likewise be assumed as Arguments of the favourable Disposition of that Government towards this, even under the present Appearances; yet the contrary, notwithstanding the strong Grounds which appear for this Conclusion, may be the Case; and even with the best Intentions, the Steps through which the Berar Government, in the Accommodation of an ostensible Plan to its own secret Wishes, may be insensibly led, may terminate in Hostilities against us.

From the Whole of this Review, it appears to be the proper Policy of this Government, to consider and treat that of Berar in the Character which it professes, but to guard against the Possibility of its becoming hostile to us.

This Policy, at the same Time fortunately coincides with the present Views of that Government, and may be made to promote them. The Rajah and his Minister have, from the Beginning, expressed the strongest Desire to become the Mediators of Peace between us and the Marattas; and this Desire is more strenuously urged in their last than in any of their former Letters; which may be accounted for on good Grounds; for it is certainly their Interest to be the Instruments of bringing the War to a Termination, by Means which must enhance their Consequence, and relieve them from certain Difficulties and Expence. The Rajah informs us, that he has written to the Paishwa, and offered his Intercession to accommodate Matters with us, confiding in the Assurances given him by this Government of its Willingness to agree to Peace through his Mediation, and to his Guarantee for the Maintenance of it; and has proposed that his Dewan shall come to Balasore or Benares, with Credentials and full Powers from the Paishwa, to negotiate and conclude a Treaty of Peace. Let us avail ourselves of this favourable Disposition; let his Mediation be accepted, and his Dewan invited to come for that Purpose to Calcutta. I am firmly of Opinion, that Peace can only be accomplished by this, or some other Mode that shall put the Negotiations for it within the Reach and immediate Controul of this Government: The Seat of War is not the Soil adapted by Nature for the Growth of Peace. Yet while every Means are employed to promote this End, we must not slacken in those which may give us an Advantage in the War, if our Hopes of a speedy Termination of it should be frustrated. On the contrary, this Season, and these Hopes, require a redoubled Exertion on our Part in the Prosecution of the War, as a necessary Concurrence with the Measures which

A P P E N D I X, N° II. (C)

we may take for the Conclusion of it. For this Reason I recommend, that the Order lately passed for the Reduction of Captain Popham's Detachment, be suspended; that the Sepoys of the Detachment be immediately formed into Three regular Battalions, and added to the Detachment allotted to Major Camac. Let it be given in Instructions to Major Camac, if he shall find it practicable, to march his Detachment, in Conjunction with the Forces, which the Rana by his Treaty will be obliged in such a Case to furnish, directly to Ugein, the Capital of the Territory dependant on Madjee Scindia. This cannot fail to divert him from the War in Guzerat, and by bringing it home to his own Interests, which have hitherto been wholly exempt from it, induce him to be an equal Solicitor for Peace, to which at this Time he appears to be the only Impediment. In effect, all Advices confirm the Information contained in the Berar Letters, of the Opposition of Scindia's Wishes to those of the Minister in this particular Instance. The only Obstacle to this Design, is the Force which the Maratta Government actually possesses in Calpee and Bundelcund. A discretionary Power should be given to Major Camac, to remove this by any Means, either by Negotiation or Force, which he shall judge necessary, and which shall not be likely to detain him from his main Object. From all the Intelligence which has been lately received from that Quarter, this appears to be no difficult Work, as the Maratta Power in that Country is not in itself very considerable, and those who possess it are disaffected to the Government on which they depend. The Purpose of undertaking this Expedition, and its Motives, may be communicated to Moodajee Boosla. He cannot disapprove it, nor is it likely to give such Offence to the Minister of Poona, whose Jealousy of Mhadajee Scindia is well known, as to excite in his Mind any new Objection to a Pacification.

By the proposed Plan of Operations, the Subsidy which we have hitherto received from the Rana of Ghode will cease; all that we can require of him will be, to join our Forces with the Quota of his Troops stipulated by the Treaty. It will therefore become necessary to provide a Military Fund for the Payment of this Detachment: I propose to the Board, as the Season is now approaching in which our Demand upon Raja Cheyt Sing, for the Payment of his Annual Contribution towards the Expences of the War, should be made, we do immediately instruct our Resident at Benares, to apply to him for the Sum of Five Lacks of Rupees; which Sum I propose shall be appropriated solely to the Payment of Major Camac's Detachment.

If the Board agree to this Plan, it will be necessary to make some Alterations in our late Orders, and these I shall reduce to distinct Propositions.

- 1st. That the Order for the Return of Captain Popham's Detachment be countermanded.
- 2d. That the Sepoy Drafts of that Detachment be immediately formed into Three regular Battalions.
- 3d. That the Three Senior Captains now with the Detachment be appointed to the Command of these Battalions, and that the Commander in Chief be requested to issue the necessary Orders for completing them with Subaltern and Native Officers.
- 4th. That to compleat these Battalions with their Proportion of Ordnance, Two 6 Pounders be added to the Guns now with Captain Popham's Detachment.
- 5th. That these Battalions be added to the Detachment already ordered to be put under the Command of Major Camac; and the Whole formed into a separate Corps, during the Continuance of the present Service.
- 6th. That in Addition to the Guns attached by the Regulation to each Battalion of Sepoys upon Service, Two 12 Pounders, the Howitzer now with Captain Popham's Detachment, and Two Cohorns, be ordered to join Major Camac's Detachment.
- 7th. That the Board of Ordnance be requested to issue Orders for supplying Major Camac's Detachment with the above-mentioned Ordnance, and the Proportion of Ammunition and Stores, agreeable to the Establishment, either from Cawnpore, or either of the Military Stations contiguous to it.
- 8th. That a Brigade Major and an Aid de Camp be added to the Staff of Major Camac's Detachment, in consequence of the additional Strength of it.
- 9th. That the Secretary be directed to draw out Instructions for Major Camac, from the preceding Minute.

I intreat the Board to give me their Support in the Prosecution of this Plan. If they have been from its Commencement averse to the War, let them join with me in prosecuting it with Vigour to its speedy Termination. If they consider themselves as free from the Responsibility of it, let them allow me to acquit myself of mine. I wish I could venture my Life upon the Consequences. I know the Man who is to conduct it, and am certain that if the Design is practicable, he will execute it to its fullest Effect; nor am I fearful of the Inference which this Declaration may draw upon me for the future Event of it.

(Signed) Warren Hastings.

(D) Minute

A P P E N D I X, N^o. 41. (D)

(D)

Minute from Mr. Wheeler and Mr. Francis, entered in Consultation of 15th June 1780.

Convinced, as we are, of the indispensable Necessity of bringing the present War, if possible, to a speedy Conclusion, we shall heartily join in the Support of every Measure which appears to have Peace for its Object, and which carries with it any reasonable Prospect of Success. On this Principle we agree with the Governor General, that it may be advisable to avail ourselves of the favourable Disposition of the Berar Government, and to invite the Rajah's Dewan to come for that Purpose to Calcutta. The Motives assigned for his late Conduct, and for the March of a Body of his Troops to Cuttac, are plausible at least, and appear to be confirmed by the Delays with which it has been attended, and by their present Inactivity. The Desire he professes of becoming the Mediator of Peace between us and the Marattas, seems likely to be sincere; because we believe it to be founded in the Consideration of his own Interest, and because it is conformable to the Language which he has uniformly held to us. We do not mean to say that Evidence of this Nature is to be implicitly depended on; but it is now so essentially our Interest to secure the Friendship of Moodajee Boosla, or at least to prevent his acting against us, that we should think it imprudent to discover any Doubt of his Sincerity. It cannot be very difficult to maintain the Appearances of the most perfect Confidence in his good Faith, without suffering it to mislead us, or neglecting any of these Precautions which our Situation dictates, and which are never more necessary perhaps than in the Midst of Security. We therefore agree with the Governor General in this Part of his Minute. But we find, with extreme Concern, that it is impossible for us to give our Assent to the subsequent Proposition. The Reasons for which we object to it shall be stated briefly, without reviving former Arguments, or reflecting on any thing that is past. Taking our Situation as it stands, we declare it to be our most deliberate Opinion, that a Peace is indispensably necessary to save the India Company, and every Interest connected with theirs, from the greatest Distress, if not from certain Ruin; and that at whatever Distance this Object may be, it is not practicable for us to continue the War on any Terms, without a very considerable Reduction in the Expence of conducting it. In the former of these Opinions we have never varied; in the latter we are sure of the Governor General's Concurrence. On this general Ground we object to the proposed Measure,

1st. Because it reverses a Resolution very lately past with the unanimous Approbation of the Board, for recalling and reducing Captain Popham's Detachment, the extra Expence of which, beyond our regular Establishment, amounting to C^r R^s. 91,332 a Month, would be saved, and their Place supplied by Four regular Battalions.

2d. Because, by the proposed Plan of Operations, the Subsidy to be paid by the Rana of Ghode, and of which we believe no Part has hitherto been received, is to cease, and our Resources so far forth diminished.

3d. Because, at a Time when it is admitted that the War cannot be continued without a very considerable Reduction of Expence, we cannot, consistently with that Principle, engage in a Measure which supposes the contrary to be true, and which in our Judgment leads to an Addition of Expence which we cannot limit when once it is begun, and which we are very sure this Government is not in a Condition to support. We have seen into what enormous Charges we have been drawn by the Detachment under General Goddard, the Strength of which does not exceed that proposed to be placed under Major Camac. We have seen the Expence of a Detachment of only Two thousand Drafts, under Captain Popham, swelled to more than Ninety-one thousand Rupees a Month; and we firmly believe it to be an Evil inseparable from distant Military Operations in this Country, that the Charge of them can neither be limited nor controuled. We do not mean to dispute the Propriety of the Governor's personal Confidence in Major Camac; but in our Minds, such implicit Confidence cannot exist without Experience, much less in Opposition to that with which the Conduct of similar Expeditions has already furnished us. In this Observation we allude only to the Expence that attends them.

4th. Because the proposed Anticipation of the Demand of Five Lacks from the Rajah of Benares, and the sole Appropriation of it to this Service, is no Relief of Expence, or Increase of Resource, since the above Five Lacks make Part of our general Estimate of Resources for the Service of the current Year; and if applied to any Service not provided for in the same Estimate, will leave a Deficiency which must be made good out of some other Fund.

5th. Because it appears to us, that the State of our Treasury is not in any Degree equal to the existing and increasing Demands which press upon this Government. The apparent Balance on Monday last, including the Deposit in the New Fort (without which we should consider ourselves as totally unprovided for Measures of immediate Defence, if such should become necessary) amounted to no more than Curr^t Rup^s 42,09,453. Deduct the Deposit in the New Fort, and let the Account be stated as it will then stand, and as it ought to stand:

A P P E N D I X, N° II. (D) (E)

D.	C ^R .	C.
Deposits of private Property — 14,87,958		Remainder, after deducting the Sum
Amount of Orders unpaid — 20,86,949		in the New Fort — — 6,13,453
Bills drawn by General Goddard, unpaid — 1,73,999		Balance, or actual Debt against the Treasury — — 31,35,453
	37,48,906	
	6,13,453	
Balance	31,35,453	

This View of our Situation undoubtedly leads to other important Conclusions. That to which we mean to confine it at present, is, that we are in no Condition to undertake new Expences; nor, if our Treasury were better supplied than it is, should we think it prudent to expose ourselves to the Demands of another Expedition, in the Plan of which we see no essential Difference from that which still exists under General Goddard.

6th. Because, admitting that all the preceding Objections on the Head of Expence could be answered or removed, we are not satisfied that the Plan itself would either end where it professes to be directed, or that this is the Season in which it ought to be attempted on its own avowed Principles. The declared Purpose of the Expedition is, to invade Madajee Scindia's Country, and to attack his Capital, Ugein, in order to divert him from the War in Guzerat, to the Defence of his own Territories. We understand and admit the Force of this Argument, though in our Judgment overbalanced by other Considerations; independent of which, we should only object to the Time chosen for the Expedition, and to the unnecessary Charge of keeping up Captain Popham's Detachment. If it be meant to withdraw Madajee Scindia from the War in Guzerat, and to distract his Force and Attention from that Country to his own, it seems to us that the Attempt should be made as soon as possible after October, when General Goddard might be at Liberty to co-operate with it, and to favour its Success by a similar Diversion on his Side;—not in the Midst of the Rains, when General Goddard's Army is in Cantonments, and unable to take the Field. The manifest Advantage of having the Two Armies acting in concert, and dividing the Attention of the Enemy between them, would be lost, if they were not both in the Field at the same Time. But this, and every other Objection to the Measure, is in fact removed by the Instructions which immediately follow it, and which in our Opinion are wholly inconsistent with the first proposed Object. Major Camac is to be intrusted with a discretionary Power to remove the Force which the Maratta Government possesses in Calpee or Bundelcund (and which is said to be the only Obstacle to the main Design) by any Means, either by Negotiation or Force. If it be true, as we are sure it is, "that the Maratta Power in that Country is not very considerable, and that they who possess it are disaffected to the Government on which they depend," such a Power can form no Obstacle to the Execution of the main Design; nor can we ever admit of the Validity of such a Pretence for invading Bundelcund, which we conclude would be the first, if not the only Effect of the Expedition. At all Events, the Latitude given to Major Camac leaves him at Liberty to pursue whatever Plan he thinks proper. But if, instead of proceeding towards Madajee Scindia, the March of this Detachment should once be directed, by the opposite Route, to the Capital of Bundelcund, he will naturally conclude that the Possession of this Country is our true and only Object; of course he will have no Apprehension for the Safety of his own.

For these Reasons we are of Opinion, that the Resolution of the Board, of the 29th of May, for the Recall and Reduction of Captain Popham's Detachment, &c. should not be suspended.

(Signed) P. F.
E. W.

(E)

Minute of the Governor General, entered in Consultation 19th of June 1780.

Governor General—The Majority of the Board having rejected all the Propositions which were contained in my Minute of the 12th Instant, excepting the 6th and 7th, which do not appear to have been included in their Exception to the general Propositions, I now beg Leave to repeat them; and as it appears from the accompanying Letter from Captain Brown, that he has left his Field Pieces and Tumbrils behind him, I shall propose,

1st. That Captain Brown's Battalion, on its Arrival at Cawnpore, be compleated with its Proportion of Field Pieces, Ammunition, and Stores, from the Ordnance at that Station.

2d. That,

A P P E N D I X, N° II. (E) (F)

2d. That, in Addition to the Guns attached to the Battalions of Major Camac's Detachment by the Regulations, Two 12 Pounders, the Howitzer with Captain Popham's Detachment, and Two Cohorns, be ordered to join it.

3d. That the Board of Ordnance be requested to issue Orders for supplying Major Camac's Detachment with the above-mentioned Ordnance, and their Proportion of European Artillery, Lascars, Ammunition, and Stores, agreeable to the Establishment, either from Cawnpore or the Military Stations contiguous to it.

Agreed.

(F)

Secret Dep'.

Instructions proposed by the Governor General, 19th June 1780.

To Major Camac.

Sir,

Having appointed you to the Command of a Detachment ordered to be formed of Four Battalions of Sepoys, Three of which are to be furnished from the Army stationed at Cawnpore, and the Fourth, the Battalion of Light Infantry commanded by Captain James Brown, we direct you to proceed to Cawnpore, or to the Station of that Detachment wherever it may be, and to conduct it without Loss of Time into the Dominions of the Ranna of Ghohid, there to relieve the Corps now under the Command of Captain Popham in that Quarter.

The Ranna of Ghohid having, in virtue of a Treaty lately concluded between him and this Government, required the Aid of a Military Force on the Part of this Government, for the Defence of his Country against the Marattas, who had invaded it, Captain Popham was appointed to this Service; and to this you now succeed. We therefore direct, that you comply with such Requisitions as shall be made to you by the Ranna for this, and for such other Conditions as he is entitled to demand by the Treaty, and shall be practicable with the Force under your Command.

Whenever the Ranna shall have no further Service for the Detachment, and shall dismiss it in the Manner prescribed by the Treaty, and no Occasion shall present itself for the Employment of the Detachment in promoting the general Success of the War in which we are engaged with the Maratta State, you are forthwith to return with it into the Dominions of the Nabob of Owd, and there wait for further Orders; and if, before your March into Ghohid, you shall receive an Intimation from him in Writing, that he shall not require the Assistance of your Detachment, you will in like Manner suspend your March, and wait for further Orders.

But as the first Design of this Government in the Alliance lately formed with the Ranna of Ghohid, was to distress the Maratta State, by a Diminution of their Power, Revenue, and Influence, and, by uniting with other Powers in Enmity with them, to divert and weaken their Operations; and as the Maratta Dominions which lie contiguous to Ghohid, appertain to Mahajee Sindea and Tuccooje Hoolkar, the Two principal Rulers of that State, and the Leaders of the Army employed to oppose General Goddard, we authorize and instruct you, in case you shall judge it practicable and expedient, to carry the War immediately into that Quarter, requiring from the Ranna the Proportion of Cavalry stipulated by the Treaty to be furnished by him for such a Service; or in case of his Inability, whether from the Season of the Year, or from whatever other Cause, to fulfil this Condition in its compleat Extent, to require and accept from him such other Aid, in furnishing Provisions, and in forming Magazines of Grain, and other Means of Subsistence and Communication, as you shall judge equivalent to it.

For your Guidance in maintaining the Relation of your Command to the Ranna of Ghohid, we herewith deliver to you a Copy of the Treaty executed with him; and we require and enjoin you to conform to it with the most scrupulous and literal Exactness.

If any Case shall occur, for which we have not provided by these Instructions, and which shall not be contrary to them, we empower you to act therein according to your own Judgment; in all others, these Instructions are positive, and must be implicitly obeyed.

The Commissary General having drawn out an Establishment for your Detachment, which meets with our Approbation, we transmit it to you, desiring at the same Time that you do not on any Account suffer the smallest Alteration or Deviation to be made in it.

We are, &c.

Fort William,
19th June 1780.

(G) Minute

A P P E N D I X, N° II. (G) (H)

(G)

Minute from Mr. Francis and Mr. Wheler, entered in Consultation of 19th June 1780.

The First, Second, and Third Paragraphs of the proposed Instructions to Major Camac, being conformable to the Treaty concluded with the Rana of Ghode, we acquiesce therein. But we think it should be added, that, before our Troops depart from the Rana's Country, the full Amount of the Subsidy due for their Pay, should be demanded and received. But we cannot consent to vest Major Camac with the Powers mentioned in the 4th Paragraph; viz. "To carry the War immediately into the Dominions of Tuccajee and Scindia, if he shall judge it practicable and expedient; and to accept of such other Aid from the Rana of Ghode, as he shall judge equivalent to the Body of Ten thousand Horse, which the Rana is obliged by Treaty to furnish." The Latitude given in the First Article, leaves it in Effect to Major Camac to carry the Company's Arms wherever he thinks proper. The Second impowers him to annul the most important and apparently the most useful Article of the Treaty. In both Instances the Government relinquishes its Controul over a Measure, which may lead us much farther than we are aware of, and be attended with the most serious Consequences. We have already observed, that an Attempt to invade Scindia's Country, if advisable, should be made at a Time when General Goddard can co-operate with it, and support it. This cannot be done till towards the Conclusion of the Rains; consequently there is Time sufficient to concert a Plan of Operations with the Rana of Ghode, and to ascertain what Assistance may be depended on from him. The Board will then have proper Materials before themselves, to judge how far it may be safe or expedient to embark in the Measure, supposing that a Peace, which is our first Object, should not be effected in the Interim. For these Reasons we cannot assent to the Propositions contained in the 4th Paragraph.

We acquiesce in the 5th.

The Powers mentioned in the 6th, seem to fall under the same Observations which have occurred to us on those contained in the 4th.

(Signed)

P. F.

E. W.

(H)

Sec^r Depart^t.

Instructions resolved on by the Majority of the Board 19th June 1780.

To Major Camac.

Sir,

Our Secretary has already notified to you, your Appointment to the Command of a Detachment ordered on Service with the Rana of Ghode. This Detachment is to be formed of Three Battalions of Sepoys from the 2d Brigade, stationed at Cawnpore, the Battalion of light Infantry commanded by Captain Brown, and a Party of Artillery, to consist of Half a Company of Europeans and Half a Battalion of Lascars.

In Addition to the Guns attached to the above Battalions by the Regulations of the Army, we have ordered that your Detachment should be supplied with Two 12 Pounders, a Howitzer, Two Cohorns, and a proper Quantity of Ammunition and Stores.

We direct that you immediately proceed to Cawnpore, or to the Station of your Detachment wherever it may be, and forthwith conduct it into the Dominions of the Rana of Ghode, there to relieve the Corps now under the Command of Captain Popham in that Quarter.

The Rana of Ghohud having, in virtue of a Treaty lately concluded between him and this Government, required the Aid of a Military Force on our Part for the Defence of his Country against the Marattas, who had invaded it, Captain Popham was appointed to this Service; and to this you now succeed. We therefore direct, that you comply with such Requisitions as shall be made to you by the Rana for this, and for such other Conditions as he is entitled to demand by the Treaty, and you shall deem practicable with the Force under your Command.

Whenever the Rana shall notify to you that he has no further Service for the Detachment under your Command, and shall dismiss it in the Manner prescribed by Treaty, and no Occasion shall present itself for the Employment of it, in promoting the general Success of the War in which we are engaged with the Maratta State, you are to signify to him in Writing, your Intention to depart from his Country, *demanding the full Amount of the Subsidy that may be due; which having received, you will immediately return with your Detachment into the Territories of the Nabob of Oude, and there wait for further Orders; but in case of a Refusal on his Part to discharge the Subsidy agreeable to the Terms of the Treaty, we desire that you will immediately signify the same to us, and not depart until you receive our Answer.*

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If before your march into Ghohud you shall receive any Information from the Rana, that he shall not require the Assistance of your Detachment, you will in like Manner suspend your March, and wait our further Instructions.

For your Guidance in maintaining the Relation of your Command to the Rana of Ghode, we hereby deliver to you a Copy of the Treaty executed with him, and we require and enjoin you to conform to it with the most scrupulous and literal Exactness.

The Commissary General having drawn out an Establishment for your Detachment, which meets with our Approbation, we transmit it to you, desiring at the same Time that you do not on any Account suffer the smallest Alteration or Deviation to be made in it.

(I)

Copy of a Minute delivered in by the Governor General, and recorded in Consultation 26th of June 1780.

Governor General—Two Minutes have been lately delivered by Messrs. Francis and Wheler, bearing their joint Signatures, in answer to Propositions made by me to the Board.

It is not my Intention to follow these Minutes through every Assertion of Facts, and every Deduction of Argument. I shall only reply to such Points as have a Relation to my present Purpose, which is, still to insist on the Necessity of carrying on the War into the Districts appertaining to Mahadagee Sindia; and to this I entreat the Board to give me their Attention.

Except the Article of Expence, I can scarcely collect the Objections which are made to it.

It never was my Intention to employ Major Camac in an Invasion of Boondelcund, nor suffer, if it were attempted on the Grounds of his Instructions, such a Waste of the Time required for the first and essential Object of his Operations.

The Ends proposed by this Expedition are Two immediate: First, to divide the Maratta Strength, and divert it from General Goddard; Second, to make the principal Agent of the War the principal Sufferer by it; and One ultimately, Peace. To this it is objected, that "the manifest Advantage of having Two Armies acting in concert, and dividing the Attention of the Enemy between them, would be lost, if they were not both in the Field at the same Time." This is by no Means a fair Conclusion; because it supposes the Enemy to keep the Field, and our principal Army to be inactive. The Reverse is the most probable, and my Purpose will be equally answered, whether both remain in Quarters, and Major Camac be suffered to prosecute the Plan assigned him without Opposition; or whether the whole Force of the Enemy be directed against him, and General Goddard left at Liberty to act in the Prosecution of his. The Rainy Season is no Impediment to our Troops, but a great one to the Maratta, which consist only of Cavalry; and if the Measure which I have proposed be even now agreed to, I should hope to bound it with that Season, or to effect every material Purpose of it within the Rains.

The Design of the proposed Instructions to Major Camac has been misunderstood, and the intended Sense of it inverted. It is not meant "to give Major Camac a Latitude to carry the Company's Arms *wherever he thinks proper*;" but to order him to carry the Company's Arms to a prescribed Scene of Action *unless he thinks it improper*.

The Objection made to the Expence is a material one; but a vigorous Exertion cannot be made without Expence; nor can the War be either concluded honourably, or prosecuted successfully, without such an Exertion. Feeble Measures, and Advances for Peace, will but add to the Strength and Presumption of our Adversaries, discourage our Friends, and perhaps induce them to become Parties against us. The Resources of this Government, exhausted as they are, and withheld from it by its internal Imbecillity, are yet equal to every probable Contingency of the present War, if it is conducted on a consistent Plan, and that not varied by desultory Votes of Council on every Measure required for its Prosecution.

I must here take Notice, that the Expence of Captain Popham's Detachment has been greatly over-rated. It is asserted, that the Expence of a Detachment of only 2,000 Drafts, under Captain Popham, has been swelled to more than 91,000 Rupees per Month; and in another Place this Sum is stated as a fixed Amount.

The Truth is, that the Expence of this Detachment has exceeded its due Bounds; yet not in the Degree imputed to it, which would be indeed enormous: The Detachment, besides the Two thousand Drafts (they are in Fact 2,400) consists of Artillery and Cavalry. The Monthly Expence of the Whole was on a Medium about 82,000 Rupees; of this Sum the

Cavalry alone produce	—	—	12,811	and the
Artillery	—	—	8,300	

making both together 21,111; and this Sum deducted from the

Total, leaves 61,000 Rupees for the Drafts, including the Staff and Contingencies of Four Battalions into which they were formed, though the Number was equal only to Three.

The Part which this Government has hitherto borne in the War is mine, and has been made exclusively mine; the other Members having repeatedly disclaimed their Share in the Responsibility attending

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attending it. It is hard, that while they load me with the Weight of such a Charge, they should bind my Hands, and deny me the Means of supporting it.

If Mr. Francis (I am compelled to speak thus plainly) thinks that he can better and more effectually conduct the War to the Termination, which we both profess to aim at, and that he can in Honour deprive me of the Right which I claim, to dictate the Means of accomplishing it, let him avowedly take the Lead; but if I am to be charged with the Consequences of it, or if the Right which I claim be justly mine, let him allow me to possess and exercise it. It is impossible to combine the Principles of Enterprize and Inaction in the same general Measure, and as impossible for his Sentiments and mine to be brought into Agreement on the Subject of the Maratta War. I have in vain laboured to accommodate them, by a studied Attention to his Opinions, in every Measure which I have ventured to propose in the Course of the last Fifteen Months, and have restrained myself from urging others, which, however proper and necessary for the Occasion, exclusively considered, were inconsistent with the actual State and Temper of this Government.

I now revert to my Proposition, and request the Board to reconsider their Objections to the Instructions which I have proposed to be given to Major Camac: I have not the Presumption to expect that they will be influenced by any Reasonings which I have used, having had too much Experience of the Insufficiency of official Argument to overcome a decided, and much less a confederate Opposition: But, as the Expence which will attend the Measure which I have recommended, is the only formal Objection made to it, I hope I may be allowed to remove it, by offering to exonerate the Company from it, and to take it upon myself. That this Proposition may not be misunderstood, and that I may not bind myself by Engagements which may exceed my Power to fulfil them, I will explain myself:

The regular Pay and Batta of the Troops which are to form Major Camac's Detachment, constitute no Part of the Expence of it, since these would be the same in their Amount, although the Battalions remained in their original Quarters; neither ought the Suspension of the Subsidy to be charged to the Expedition, since it is probable, and I regard it as certain, that the Rana having no further Call for our Aid within his Country for the sole Defence of it, will be glad to be relieved from the Expence attending it, and because it is proposed in the last of the Minutes of Messrs. Francis and Wheler to withdraw it: The Contingencies of the Detachment are therefore the only Expence that can be reasonably charged to the Expedition. These I rate far below Two Lacks of Rupees; that Sum I offer to contribute to this Disbursement: I have already deposited it, within a small Amount, in the Hands of the Sub-treasurer, and I beg that the Board will permit it to be accepted for that Service.

(Signed)

Warren Hastings.

(K)

Minute from Mr. Francis and Mr. Wheler, entered in Consultation 27th June 1780.

After an attentive Consideration of the Governor General's Minute, delivered in to the Board Yesterday, we adhere to the Reasons which have induced us to withhold our Consent to the proposed Expedition into Malva. To this, for the present, we shall only add the following short Remarks, in Reply to some Assertions in the Governor General's Minute, which appear to us to be gratuitous.

1. The actual Expence of Captain Popham's Detachment for the Months of November, December, and January last, is stated by the Commissary General at Cur. R^y 2,73,996 (vide his Letter recorded on the 1st of May;) and we have no Reason to think that the Expence has decreased since the Detachment has been on Service.

2. We know not to what Passage in either of our Minutes the Governor General alludes, when he says, "That it is proposed in the last of the Minutes of Messrs. Francis and Wheler to withdraw the Aid granted to the Rana of Gohid." Notwithstanding our original Disapprobation of the Treaty, and though none of the good Effects which were promised from it, appear to us to have been accomplished, we have not proposed to depart from the Conditions by which this Government has been bound to the Rana: All we insist on is, that the Subsidy should be paid. The Governor General has not informed us, whether any Part of it has been discharged.

3. It is said that the Rainy Season is no Impediment to our Troops, though a great one to the Marattas. The same Opinion was insisted on at the Time when Colonel Leslie marched, and when the Governor's Confidence in him was not inferior to that which he now reposes in Major Camac, and which we do not mean to say is ill-founded: But Colonel Leslie's Letters contain repeated Declarations of the Impossibility of marching amidst the Torrents of Rain with which the Country was deluged: On this Point our Conviction remains unaltered. They who have not seen the Rains of India, can have no Idea of their Violence, nor how entirely the whole Surface of the Country is changed by them. In a few Days we mean to record our Sentiments more at large on the Remainder of the Governor's Minute, and on the general Situation of this Government. We could have wished, indeed, that the Governor's Plan had been more compleatly before us than it is, that we might have been able to compare the Whole of the Object with the Whole of the Means. Peace, he declares,

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is his ultimate Object; but he has not given us even a general Idea of the Terms on which he would make it: He has not intimated to us what would be the final Extent of his Demands on the Marattas, or what Concessions he would make to them. Before this Point is fixed, we have no solid Basis either for Action or Deliberation: The First may be indefinite and unconnected, as it hitherto has been; the Second must be guided from Day to Day by Events. In this Uncertainty we cannot presume to decide, whether his Object be or be not attainable; but we promise to enter into the Consideration of it with the utmost Candour, and with all the Attention which such a Subject deserves, when it is laid before us.

P. Francis,
Edw^d Wheler.

(L)

Minute from Mr. Francis and Mr. Wheler, entered in Consultation of 29th June 1780.

In our Minute of the 27th we meant only to give an immediate Answer to the Propositions before us: We shall now enter more particularly into the Reasonings and Assertions with which it was introduced. The Terms and Tendency of the Governor General's Minute make this Task, however painful it may be, essentially necessary for the Information of those who are to judge of our Conduct, and of course to our own Reputation and Safety.

The Governor General says, that "except the Article of Expence, he can scarcely collect the "Objections made to the Measure;" and again, that "the Expence is the only formal Objection "made to it:" Yet some Pains are taken to answer another, which attacks the Measure on its own Principles, and which undoubtedly must have been felt by the Governor General, or he would not have attempted to remove it, by supposing a Fact so material to the Question, as that our principal Army is *not* in Cantonments and inactive, and that it must not continue so till the End of the Rains. The Truth is, that General Goddard's Army, or the major Part of it, is actually in Cantonments at Surat, and we hear that he himself is at Bombay. Last Year he did not take the Field until December: Perhaps he might now move a Month sooner; but we are satisfied, as well by his own Letters as by every Information we have been able to obtain, that it is impossible for him to act before November. That the Rains would be no Impediment to our Infantry, incumbered with Baggage, Tents, Stores, Ammunition, and a Train of Artillery, but that it would be a great one to a Body of Maratta Cavalry, seems to us a most extraordinary Proposition: Hitherto it has been contradicted by Experience, and we find no Arguments advanced to support it. If one of the Objects of the Expedition be *to divide the Maratta Strength, and to divert it from General Goddard's Army*, it is essential to that Object, that General Goddard's Army should be at the same Time in the Field, otherwise the Maratta Force is not divided, nor can there be a Diversion on one Side, unless some Operations exist on the other, in Favour of which the Diversion is to be made. But we say that General Goddard's Army is in Cantonments, and must remain inactive till November; consequently the undivided Force and Strength of the Marattas, if they think it necessary, may be turned entirely to Major Camac.

The Second Object is said to be, to make Madajee Scindia, "*the principal Agent of the War, the "principal Sufferer by it.*" Hitherto we have been told, that Nana Furnese was the Chief most attached to the French Interest, and most hostile to ours, and that Scindia was disposed to cultivate our Friendship; and it must be confessed he gave us a Proof of it, which ought not to be forgotten, when he suffered the Bombay Army to retire from Wargaum. Admitting nevertheless that we ought now to consider Scindia as our principal Opponent, it does not follow that this Expedition, in the Way it is planned, will be the Cause of much Distress to him, if any: In our Opinion, *we* are much more likely to suffer by it than he is. If *every material Purpose of it is to be effected within the Rains*, what can they be, but to make a hasty IncurSION into his Country, to plunder it, and to leave it? If General Goddard were in Motion at the same Time, we see a Possibility, in Speculation at least, that Scindia might be distracted between them, and prevented from turning his whole Force, or the principal Part of it, to the Defence of his Dominions: As this is not the Case, Major Camac must act without the Support of a Diversion on the other Side, against whatever Force Scindia may think fit to bring against him. They who are unacquainted with the Geography of India, can know nothing even of the Distance from our Frontier to Eugene, the Capital of Malva, much less of the Difficulties that are likely to attend such a March; the Distance, however, is evidently so great, that in case of a Check, we see no Likelihood of securing a Retreat: But if, whether with or without an immediate Repulse, the Retreat of the Detachment should be cut off, we know what the Consequences must be; another Body of Troops will be called for, and the Necessity of sending them insisted on to support the First Measure, or to disengage us from the Effects of it. No Man can say to what Distress and Difficulties a Series of such Steps may finally lead us: It may happen, that while we are stripping Bengal of the Force which ought to be reserved for its Defence, while we are sending our best Troops and our best Officers on these distant Expeditions, these Provinces may

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may be invaded from different Quarters, and our Establishment hazarded, where it ought to be our principal Care to render it secure. In our Opinion, nothing essential to the Interests of the Company and of the Nation in India can be lost as long as Bengal is safe; but if *this* Country should once be in Danger, or if by the Loss or Waste of its Resources it should no longer be able to support itself, and to return a regular Tribute to Great Britain, no Conquests or Acquisitions in any other Part of India will ever compensate in the smallest Degree for the Distress to which Bengal may be reduced, and for the Consequences that must attend it at Home. The Supposition of such a Case will not appear wild or unwarrantable to those who have a perfect View of our Situation: We are much afraid that it is little known, and less understood, in England.

The War with the Marattas, at more than Two Years after its Commencement, and after every Rupee we had reserved in our Treasury, or have since been able to collect, has been spent in the Support of it, is at this Day as far from a Conclusion as ever: New Expeditions are proposed, to answer the same Effects which were promised from former Measures of the same Nature, and, as it appears to us, with no better Prospect of Success; of such Success at least as would be likely to make any further Efforts unnecessary.

The Governor General talks of *Friends who may be discouraged, and who perhaps may be induced to become Parties against us*: We wish that the Names of these Friends had been mentioned. We do not know that this Government has a single Friend or Ally in India, in the true Sense of Friendship and Alliance; which supposes the Power of giving Assistance, and a Disposition to give it.

The Condition to which we have reduced the Vizier's Country makes that Connection rather a Burthen than Advantage to this State. We have now to defend the extended Frontier of a ruined Country, which at present barely pays the Troops that defend it, and which, according to all Appearance, will not do even that much longer. As for the Vizier himself, he is a Cypher, and has no Choice.

The Rana of Gohid is too inconsiderable to be mentioned; and if he were more powerful than he is, it is plain enough, that either his original Purpose is answered, or that he has other Reasons for being weary of the Presence of our Army. Though the Board have not heard from Captain Popham, we conjecture, from what the Governor General has let fall, that the Rana intends to dismiss Captain Popham, and that he will not require Major Camac to come into his Country.

On the other Hand, we see the principal Powers of India either armed or ready to arm against us. The Marattas have united, as we foresaw they would do, in the common Defence of their Country: Hyder Ally, their natural Enemy, has concluded an Alliance with them, the Effects of which, though hitherto suspended, are not averted. We know, by many Proofs, what his Disposition is towards us; and we ought to conclude, since it is a Case against which we ought to be provided, that he means to act against us at the first favourable Moment; that is, when our Arms may have suffered another Check, or when our Strength and Resources may be exhausted by a Continuance of the present War.

It is true, our Endeavours have hitherto succeeded in preventing the Nizam from taking an open Part with our Enemies: It depends on the Gentlemen at Madras, whether the Concession we have thought proper to make him shall take Effect or not. If it should, we have still no positive Security that he will be contented with it, or that his other Claims upon the Company will not furnish him with a Pretence for joining our Enemies, whenever he sees an Opportunity of doing it to Advantage. This Disposition towards us, and the Confidence he reposes in his own Strength, may be plainly collected from his Declarations to Mr. Hollond.

The Rajah of Berar seems lately, if not originally, to have adopted that sort of Policy, which leaves it open to him to be guided by Events, and to pursue any Course he thinks proper: We have no Security that it will be favourable to this Government. He professes to wish for an Accommodation between us and the Paishwa; he offers his Mediation; and, apparently to support his Offer, he sends a considerable Army to the Frontier of these Provinces. The Strength of this Army is unknown to the Board: Various Reports state it from 20 to 30,000 Horse. Against their future Operations we ought to be as carefully provided, as if we had no Dependence on their Friendship: We ought to treat them as Friends, and we ought to be prepared against them as Enemies.

In this Situation, we can never admit *that the Resources of this Government, exhausted as they are, and withheld from it by its internal Imbecillity, are yet equal to every probable Contingency of the present War*: On the contrary, we think that the present War, in whatever Manner it may be conducted, is liable to Contingencies, to which all our Resources, if they were yet unimpaired, would not be equal, and that in our present Circumstances we have no Choice.

We deny that this War has hitherto been conducted on a consistent Plan, or any Plan at all; of which we need not give a more decisive and striking Proof, than that the Expedition under Colonel Goddard did not co-operate with that from Bombay against Poona: That the Authority, formerly given to the Presidency of Bombay over that Army, was withdrawn in favour of another Measure, of which they had no Information; and that General Goddard's final March to Surat was merely Matter of Accident, and absolutely contrary to the Governor General's Wishes and Intentions. On the 4th of March 1779, he declared, "*He wished equally with Mr. Francis for the Return of the Detachment to Berar, and equally dreaded to hear of its proceeding to the other Coast.*"

But, if the Reverse were true, and if the War had really been conducted on a consistent Plan, we deny *that it has been varied by desultory Votes of Council on every Measure required for its Prosecution*. We do not know or believe, that there is a single Instance of any Question concerning the

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the War, being carried against the Opinion of the Governor General, except that now immediately before us; and even this, we presume, was not in Contemplation with the Governor a Month ago, when the Resolution was taken of recalling and reducing Captain Popham's Detachment with common Consent; and, as we thought, with the Governor's entire Satisfaction.

It is not denied, "That feeble Measures and Advances for Peace may give Strength and Presumption to our Adversaries, and discourage our Friends; or that the Principles of Enterprize and Inaction are not to be combined in the same general Measure." But we do not admit, that these general Propositions are applicable to our Situation. Our Opinion is, that we are in no Condition to continue the War, on any Terms which suppose the Continuance of the present Expence, or even with a considerable Diminution of it. Whether our Resources be exhausted, or whether they be withheld from us, it is equally true, that there is no Money in our Treasury. We hope, that in such critical Circumstances, it will not be proposed to take the Deposit out of the New Fort. We know not how near we are to the Extremity for which it was provided. But, even supposing our immediate Wants were relieved by that little Supply, let us consider where it would leave us, after discharging the instant Demands upon the Treasury. Our former Statements shew what a very inconsiderable Portion of it would remain in our Hands, while the Credit and Advantage of possessing such a Reserve in Specie, against an extraordinary Emergency, would be lost. In effect, we should publicly avow, that the Distress against which the Deposit was reserved, had actually fallen upon us.

We never meant to propose feeble Measures, which necessarily defeat themselves; nor yet do we approve of vigorous Measures in the Sense in which Vigour has been hitherto understood; because we are convinced, that this Government is unable to support them; and if they could be supported a small Time longer, they would not bring us nearer to our Object. Before the Commencement of the War, we foresaw and foretold the principal Consequences that would attend it. We now judge of it by its Effects, which we hope will be considered, though every other Sort of Argument should continue to be disregarded. We have seen the Event of Two Years Military Operations, and of a Succession of Enterprizes, which, in Point of Effort and Expence, were as vigorous as any Thing we could now undertake.

The Expedition to Poona ended in a Disgrace, which, but for the Generosity or Forbearance of the Marattas, might have left Bombay defenceless. We know not the Expence of this Measure; but we believe the Company will find it enormous.

The March of the Army under Colonel Leslie had all the Appearances of an active and vigorous Resolution, and had produced as much Success as could reasonably be expected. It has conquered an open Country; which, at some future Day, and if ever the promised Collections from it should be made, is to return Thirty Lacks of Rupees a Year to the Company. Against this Acquisition, the permanent Expence of an Encrease of Establishment to regulate and defend it, must be placed, and the Value of the Remainder compared with the Charge of the Expedition: The Company will then know at what Price they have acquired a new Territory on the Malabar Coast. At the End of February last, the Sums remitted to this Detachment alone, amounted to almost Seventy-six Lacks of Current Rupees; and we are convinced, that we are much within Bounds in computing, that a Crore of Rupees will not clear it to the End of October.

The March of a Detachment from the Coast, and of another from Bombay, to strengthen General Goddard, has yet produced no Effect that we know of, but to raise their Pay to a Level with that of the Bengal Troops; which of itself is no slight Inconvenience.

The Detachment under Major Camac, which was ordered about the Beginning of last Year, to join Colonel Goddard, after costing the Company Current Rupees 4,36,793, returned without Effect.

Many Advantages were promised from the Treaty with the Rana of Ghode; particularly that of dividing the Strength and Attention of the Marattas. If it has really produced that or any other Effect that deserves the Name of an Advantage, or that can be placed in Comparison with the Expence of the Measure, we wish to see it stated. We are informed by the Commissary General, that the total Expence of Captain Popham's Detachment to the End of April last, amounted to CR^o 5,55,953. At this Rate, the present Expence must amount to Current Rupees 7,41,271.

With these discouraging Experiments in our View, we are called upon to embark in another Enterprize, for the avowed Purpose of supporting that of General Goddard; yet the Governor's Expectation of Success from this new Effort, cannot be greater than those which he professed to entertain of the former: Even after the Delay in Bundelcund, he always considered Colonel Leslie's Detachment as *capable of accomplishing the Ends of its Formation, and professed the strongest Conviction, that under a proper Conduct, the Effects would still answer his most sanguine Hopes.**

It is true, that the Part which this Government has hitherto borne in the War, belongs to the Governor, and that we have no Share in the Responsibility attending it: But it is equally true, that in the future Measures of this Government we must take our Part. We cannot transfer the Responsibility, though we might relinquish the Powers incident to our Station: In many Cases, we may find ourselves compelled not to interrupt the Operation of Acts already resolved on against our Opinion; especially when the Government or its Representatives are once engaged in the Execution of them: In such Circumstances we have no Choice: But a Defence of this Sort will not apply

* Vide Secret Conf. 12 Oct. 1778.

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to new Measures or new Plans, which cannot be resolved on without our Consent. For these and their Consequences, we must of Necessity be answerable jointly with the Governor; therefore cannot divest ourselves of the Right of judging of both. If, on the present Occasion, we are mistaken in our Judgment, it will not add to the Load with which the Governor General may be charged. We rather think he derives a visible Advantage from the Part we are forced to take in this Question. There is no Difficulty in displaying the possible Benefits, which might have resulted from a Measure untried; while the Burthen of proving that such Benefits were unattainable, together with the ideal Loss of them, will be thrown upon the opposite Party.

We have as little Faith as the Governor can have *in the Sufficiency of official Argument to overcome decided Opinions*. What we have said is meant to stand for our Vindication at Home. We heartily wish it might have more Weight, than we fear it will have, in this Place. We wish to co-operate heartily and sincerely with the Governor General in effecting a Peace on reasonable Terms. Means of Negotiation are in *his* Power, which are not within ours. To accomplish a Peace ourselves, against his Inclination, we know to be impossible. Till very lately our Hopes nearly amounted to Conviction, that we were all agreed on this Point, and that the Season of the Rains, in which Hostilities must cease on both Sides, would have been employed in effecting a Pacification. On this Principle we consented to the Proposition for accepting the Mediation of Moodajee Boosla. We wish to know if any and what Steps have been taken in Consequence. As this Measure has no Connection with the proposed Expedition, we hope it will not be deserted. Without making improper Advances to the Marattas, other Means might be taken to the same End; but we are perfectly sensible that none can succeed in which the Governor General will not take an active Part. If after all a formal Peace is not to be obtained, we do not think it follows that an offensive War must necessarily be continued. A general Outline of the Plan we allude to has been suggested to the Governor General. We do not think it advisable to enter into it in this Place; but we are ready to submit our Thoughts to him on the Subject, whenever he thinks proper.

(Signed) P. Francis.
Edw^d Wheler.

Mr. Francis—I beg leave to add a few Words to the preceding Minute, in reply to the personal Appeal made to me by the Governor General. I persuade myself he would not propose an Alternative to me which he thought I could not accept of with Honour. But, as I understand it, there is no Point of Honour in question. I think it belongs to the Governor General to propose and recommend such Measures, as he thinks fit, to the Approbation of the Board; and, circumstanced as we now are, it must be some very essential Consideration that can induce me to oppose him. I would neither attempt to take that Lead out of his Hands, nor yet engage implicitly to submit to his Opinions. Every View to my own Ease and Happiness would incline me to wish that the Constitution of the Government permitted him to dictate, or to resolve and act without me. But I am vested with a Public Trust, from the Duties of which I cannot be exempted while I hold the Station that creates it.

I believe the Governor General yielded to my Opinion, in resolving to recall and reduce Captain Popham's Detachment; but this was a Concession to which he did not long adhere. That he should have "laboured to accommodate his Sentiments to mine, by a studied Attention to my Sentiments in every Measure which he had ventured to propose in the Course of the last Fifteen Months," is a Fact with which I declare most solemnly I was utterly unacquainted.

(Signed) P. Francis.

(M)

Extract of a Letter from General Goddard, dated the 20th of June 1780; and received the 24th August.

I had the Honour to address you the 27th ultimo, acquainting you with the Enemy's Forces having desisted from further Attempts to make any Impression upon the Guzerat Province; and that, from every Intelligence I could learn, it was Scindia's Intention to relinquish the Country altogether, and march either towards Eugene or the Decan. A few Days subsequent to the Date of that Letter, my Hircarrahs brought me Accounts of Scindia's having removed *with his whole Army towards Ugein*. These Reports have been since confirmed, and it is now generally and confidently believed, that if he has laid aside the Design it was supposed he had formed, of visiting the Decan, and purposes *to pass the rainy Season at Ugein*. Holkar has accompanied him, and will reside at Indore, a principal City in the Neighbourhood of Eugene, and the Chief Residence of his Family.

In Consequence of the Departure of Scindia from the Neighbourhood of Guzerat, and the near Approach of the Rains, which did not admit of any Delay, I re-crossed the Narbuddee, and directed my March to Surat, where I arrived with the greatest Part of the Army the 8th Instant.

(N) Extract

A P P E N D I X, N° II. (N) (O)

(N)

Extract Secret Consultations, 20th July 1780.

The Governor General—Notwithstanding the ill Success which my former Motions have met relative to Major Camac's Detachment, I must again revert to the Proposition made by me to the Board on the 19th ultimo, for the Extension of the Powers to be given to Major Camac in the Manner expressed in my proposed Draft of his Instructions, delivered in on that Day. I accordingly now move, That those Instructions be granted to him.

I have little to say in Addition to the former Arguments which I have urged in support of the principal Measure presented in them, but that it appears to me more necessary at this Time to create such a Diversion, by the Declaration lately made by Hyder Ally Cawn, or at least too strongly implied to admit a Doubt of its intended Construction, in his Letter recorded in the last Consultation. Every Accumulation of Difficulty requires an additional Exertion. For the same Reason I move, that the Order for reducing Captain Popham's Detachment, be repealed, and that it be formed into Three regular Battalions, to be commanded by the Three senior Captains now with that Corps; but as I understand the Commander in Chief left Lucknow on the 6th Instant, and is proceeding with all possible Expedition to the Presidency, I do not think it necessary to follow this Motion with any Proposal for the Disposition of this Corps until his Arrival.

Mr. Wheler—No Arguments are used by the Governor General, in his late Proposition, in Addition to those which were stated in his former Minutes upon this Subject, to induce me to alter my Opinion respecting the First Instructions to Major Camac. I must therefore adhere to it.

I must confess the Governor General's Second Proposition is accompanied with a forcible Argument to support it. Times of War and public Calamity are certainly not the Times for diminishing our Military Force, particularly when we have every Reason to believe (both from the late Declarations which Hyder Ally has made, and also from the particular Measures which that Chief has lately pursued in relation to us) that an open Rupture betwixt him and the Company is not very distant.

For these Reasons I most readily coincide with the Governor General in repealing the Orders for reducing Captain Popham's Detachment, and that it "be formed into Three regular Battalions, to be "commanded by the Three senior Captains, now with that Corps."

(Signed) Edw^d Wheler,

(O)

Minute of the Governor General, dated the 3d July, and communicated to Mr. Francis in a private Note on the Night of the 14th August 1780.

Governor General—Why Mr. Wheler has thus repeatedly chosen to join his Name to Mr. Francis's, in the Minutes lately delivered by them to the Board, I can neither conjecture, nor seek to know. I can easily conceive Mr. Francis's Intention in obtaining this Association: But as the Rectitude of these Acts in Mr. Francis is to be judged upon very different Principles from those in which he has a common Concern with Mr. Wheler, I shall consider them solely as his, and reply to them accordingly. Indeed I have no Doubt of their being all the intire Composition of Mr. Francis. They are not the less his by this apparent Division of the Property; and his Name affixed to them gives me the Right of regarding them as intirely his.

I did hope that the Intimation conveyed in my last Minute would have awakened in Mr. Francis's Breast, if it were susceptible of such Sensations, a Consciousness of the faithless Part which he was acting towards me. I have been disappointed, and must now assume a plainer Style, and louder Tone. In a Word, my Objections do not lie to the special Matter of his Minutes, to which I shall separately reply, but to the Spirit of Opposition which dictated them. I have lately offered various Plans for the Operations of the War. These have been successively rejected as I have successively amended, and endeavoured to accommodate them to Mr. Francis's Objections. I had a Right to his implicit Acquiescence. I have lastly proposed a Service, requiring immediate Execution, and I have freed it from the only Objection formally made to it. In answer, he says, that he adheres to the Reasons which had before induced him to withhold his Consent, and composedly invites me to lay before the Board a complete Detail of the Plan for conducting the War, a comparative State of the whole of the Object with the whole of the Means of attaining it, and the final Extent of my Demands on the Marattas, or what Concessions I would make to them; and he promises to enter into the Consideration of these Points with the utmost Candour. If his Design in this Inquiry was simply to gain Information, I might refer him to the large and confidential Discussions in which I have laid all my Views open to his, with all the Grounds on which they were formed. If his Purpose was to enable him to form a more clear or competent Judgment of the Plans which I have proposed, its Object would

A P P E N D I X N^o III (O)

would be lost in the Time required for the Deliberation. But, in Truth, I do not trust to his Promise of Candour, convinced that he is incapable of it, and that his sole Purpose and Wish are to embarrass and defeat every Measure which I may undertake, or which may tend even to promote the Public Interests, if my Credit is connected with them. Such has been the Tendency, and such the manifest Spirit of all his Actions from the Beginning. Almost every Measure proposed by me has for that Reason had his Opposition to it. When carried against his Opposition, and too far engaged to be withdrawn, yet even then, and in every Stage of it, his Labours to overcome it have been unremitting; every Disappointment and Misfortune have been aggravated by him; and every fabricated Tale of Armies devoted to Famine or to Massacre, have found their first and ready Way to his Office, where it was known they would meet the most welcome Reception. To the same Design may be attributed the Annual Computations of declining Finances and an exhausted Treasury, Computations which though made in the Time of Abundance must verge to Truth at last, from the Effect of a discordant Government, not a constitutional Decay. To the same Design shall I attribute the Policy of accelerating the boded Event, and creating an artificial Want, by keeping up an useless Hoard of Treasure, and withholding it from a temporary Circulation.

I am aware of the Answer which will be made to these Imputations, and I will anticipate it. Mr. Francis may safely deny them, for they are incapable of positive Evidence. He may complain of the Injustice and Indecency of assuming the Interpretation of his Thoughts, and assigning Intentions to him upon the Reality of which he alone can pronounce with Certainty. He may claim an equal Right to recriminate upon me, and to pass the same free Judgment upon the Motives which have influenced my Public Actions. Against such Conclusions I trust that my Character will be sufficient to defend me, unless some known Instance of it can be produced as a Warrant for them, and such I am certain do not exist either known or unknown.

My Authority for the Opinions which I have declared concerning Mr. Francis depends upon Facts, which have passed within my own certain Knowledge. I judge of his public Conduct by my Experience of his private, which I have found to be void of Truth and Honour. This is a severe Charge, but temperately and deliberately made, from the firm Persuasion that I owe this Justice to the Public and to myself, as the only Redress to both for Artifices of which I have been a Victim, and which threaten to involve their Interests with Disgrace and Ruin. The only Redress for a Fraud for which the Law has made no Provision is the Exposure of it.

I proceed to the Proofs of my Allegation.

In the latter End of the Month of February last, Mr. Francis concluded with me an Engagement, of which One Article alone is necessary to the present Occasion. It is as follows:

“ Mr. Francis will not oppose any Measures which the Governor General shall recommend for the
“ Prosecution of the War in which we are supposed to be engaged with the Marattas, or for the
“ general Support of the present political System of this Government: Neither will he himself either
“ propose or vote with any other Member who shall propose any Measure that shall be contrary to
“ the Governor General's Opinion on these Points.”

By the Sanction of this Engagement, and the liberal Professions which accompanied it, I was seduced to part with the Friend to whose generous and honourable Support, steadfastly yielded in a Course of Six Years, I am indebted for the Existence of the little Power which I have ever possessed in that long and disgraceful Period, to throw myself on the Mercy of Mr. Francis, and on the desperate Hazard of his Integrity. It was impossible to afford a stronger Demonstration of the good Faith with which I entered into this Accommodation, nor of my Confidence in his, than thus consenting to deprive myself of the Means of breaking the Engagement on my Part, and of preventing the Breach of it on his; and surely this Difference in our relative Situations ought to have impressed him with a Sense of what he owed to the Delicacy attending it, and have made him dread even an Approach towards the precise Line of his Obligations, by the slightest Advantage taken of my Inability to repel it; and how much more ought it to have restrained him from the direct Transgression of it.

I must now revert to the Article of Mr. Francis's Engagement, which I have recited above, and to the Minutes lately delivered to the Board, under the Signatures of Messrs. Francis and Wheler. On these I rest the Proofs which I have promised of the Charge herein preferred against Mr. Francis.

If it shall appear on a fair Comparison of these Evidences that Mr. Francis has faithfully adhered to his Engagements, I have wrongfully accused him. If on the contrary it shall appear, that in Violation of these Engagements he has opposed any Measures which I have recommended for the Prosecution of the War in which we are engaged with the Marattas, or for the general Support of the present Political System of this Government, or that he has either himself proposed or joined with another Member in proposing a Measure contrary to my Opinion in these Points, my Charge is established. I wish to avoid a Repetition of the Terms of it.

(Signed) Warren Hastings.

(P.) Minute

(P)

Minute of Mr. Francis, entered in Consultation 11th September 1780.

Mr. Francis—The main Question between Mr. Hastings and me can be referred to no other Test but the Public Opinion of our respective Characters: I appeal cheerfully to that Test, and am ready to abide by the Event of it. On the Point in Issue I can only declare, as I do now in the most solemn Manner, that I never was Party to the Engagement stated by Mr. Hastings, or had a Thought of being bound by it. In one of our Conversations in February last, he desired me to read a Paper of Memorandums, among which I presume this Article was inserted. I returned it to him the Moment I had read it, with a Declaration that I did not agree to, or hold myself bound by, the Contents of it, or to that Effect. From that Time I have never seen the Paper: I never had a Copy of it, nor have I a positive Recollection of any thing it contained. The Agreement I meant to enter into with respect to the Maratta War, was to prosecute the Operations actually existing on the Malabar Coast, which, since the Campaign was begun, and General Goddard had already taken the Field, I thought should be pushed as vigorously as possible. I have no direct Evidence to produce in support of this Declaration; but I imagine it will be strengthened in some Degree by the following Considerations: It is not said that the Plan of another Expedition from the Upper Country into Malva, or any other Part of the Maratta Dominions on that Side of India, had ever been suggested to me. The Resolutions of the 29th of May last, formed on the Governor General's own Propositions, constitute, as I think, a strong Presumption, that up to that Period the Governor General had not had that Measure in Contemplation, or that he must then have abandoned all Thoughts of it. On that Day it was unanimously resolved, that Captain Popham's Detachment should be recalled and reduced, and that he should be relieved by Four Battalions under Major Camac. In this Arrangement nothing appears to have been in the View of the Board, but to diminish the public Expence without departing from the Terms of the Treaty with the Rana of Ghode. But Letters of the 20th of April to the Presidency of Bombay, to Brigadier General Goddard, and to the Commander in Chief, express the unanimous Opinion of the Board, *that our Resources were no longer equal to the Payment of General Goddard's Army, without draining Bengal entirely of its Specie, and that no Acquisition on the other Side of India could compensate for the Distresses which a Continuance of the War, at the present Expence, would bring upon the Company.* This indeed has been invariably my Opinion; but the Governor concurred in it, and drew up the Letters himself. The Evidence I appeal to is public and authentic; it is not for me to determine how far it ought to be deemed conclusive. The Observations which I must now proceed to offer on some Passages in the Governor General's Minute, shall be as short and moderate as I can make them: I mean to lead the Reflections of others from fair Presumptions to probable Conclusions, which is all that the Case will admit of, and by no means to engage myself or the Governor in any further Controversy.

I am not acquainted with the Governor General's Plan for carrying on the War, from what Funds it is to be supported, or on what Terms he would make Peace. It seems to me, that the Demand from Two Members of the Board was regular and in its Place. A very few Words would have been sufficient, to tell us what were to be the final Objects of the War. I would not venture to state the loose Discourses of a private Conversation, if I recollected them, on a Subject of such very great Importance; nor can I agree, *that the Object of the Question would be lost in the Time required for Deliberation.*

2d. The Governor General's Minute of the 28th of last Month, and the Letter from the Board of Trade of the 22d, are sufficient to shew, that my Annual Computations of declining Finances and an exhausted Treasury were well founded. Every Department of the Public Service is, and has been for several Months, in Arrear. As to the Deposit in the New Fort, it was placed there at my Motion, but long after Colonel Monson's Death, and with the Governor's Consent and Approbation. In the Secret Consultation of the 21st of May 1778, he speaks of it as a Fund *which we have appropriated for our own extraordinary Occasions*, and which we should not break in upon for any other Service. I cannot conceive that I am hostile to Mr. Hastings, in adhering to the Opinion which I have constantly and uniformly delivered on this Subject.

3d. The Evidence of the Charge against me is drawn from a Paper written by the Governor himself, of which I never had a Copy; though from the Manner in which the Quotation is introduced, it might naturally be taken for an Article in some formal Treaty between us: This is said to be *the Proof of his Allegation*; that is, the Charge and the Proof stand on the same Ground. In another Place he admits that *his Imputations are incapable of positive Evidence*: I submit to Judgment, whether it even be presumptive, except of his own Thoughts or Intentions, which I do not mean to question. How would he receive, or how would he answer, an Accusation against himself, no better supported than this?

4th. I submit to Judgment, whether the Engagement, as stated by Mr. Hastings, does not prove too much against me? Under the Terms of it, I must have consented to the March of every Battalion on the Bengal Establishment to the Malabar Coast, if Mr. Hastings had thought fit to propose it, or to any other Measure whatsoever, without Exception or Limitation, which he might have

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recommended for the Support and Continuance of the War; from the Date of the Agreement I at once renounce all my former Declarations and Opinions, and all Choice, Will, and Judgment, for the future. Some Men perhaps may think me capable of such an Act; I hope and believe they are not many; but no Man, who knows any thing of the World, will think it possible that I could sacrifice myself in so gross a Manner without some secret adequate Compensation, if any Compensation could be equal to it. On this Head I have no other Evidence to appeal to, and I desire no better, than Mr. Hastings himself. If any thing was done or proposed by me for my Advantage, directly or indirectly, or if any thing was done or proposed for the Advantage of any other Person whatsoever, beyond what was publicly known and avowed (I mean the Re-instatement of Mahomed Reza Khan, Mr. Fowke, and Mr. Bristow, in Conformity to the Company's Orders) I call upon him to declare it: That of Mr. Bristow was the only Point of the Three which I yielded to suspend until the Month of October, or until the First Advices of the Season from the Court of Directors. In the actual Situation of Affairs here, and with the alarming and calamitous Accounts we had then lately received from England, I thought that some Agreement between Mr. Hastings, Mr. Wheeler, and myself, was essentially necessary to the Public Safety; I therefore met Mr. Hastings, with a sincere Disposition to come to an Agreement, and to forward it by every possible Facility on my Part. During the whole Course of the Transaction, nothing of any Moment was said or done without Mr. Wheeler's Knowledge and Participation.

With respect to Mr. Barwell's Departure, and the Inferences drawn from it, it is a Subject of which no Man at Home can judge so well as they who are on the Spot, and see what passes: The little I shall say of it is offered as Matter of Opinion, not Evidence. I believe it, for Instance, to be the Opinion of many well-informed Persons in this Settlement, as it is now firmly my own, that Mr. Barwell was determined to go Home last Season at all Events, and that the Swallow was kept for several Months on purpose for him: If so, Mr. Hastings gained something, and could lose nothing by his Agreement with me. But as Mr. Barwell's going Home was never demanded by me, nor ever entered into the Agreement, I have no Concern in Mr. Hastings's Motives for consenting to it.

If I deserved the Character attributed to me, I should not acknowledge, as I do, the Force of an Argument, deduced by Mr. Hastings from the defenceless Condition in which he was supposed to be left by Mr. Barwell's Departure: It is such an Argument as can only be felt by a Man of Honour. I admit the Principle laid down by Mr. Hastings, as far as it can be urged with any Colour of Justice or Reason: Whether I have departed from it or not is a Question of Fact; let it only be observed, that such a Principle is as liable to be abused on one Side, as to be violated on the other. Push the Inferences from it as far as they will go, and who does not see that a Tyranny may be created by it over the Mind of a Man of nice Sensibility and fearful of Reproach? With such a Weapon, so exercised, Mr. Hastings would possess a Power, which he assuredly never had while Mr. Barwell was in the Country. The Whole of this unfortunate Question between Mr. Hastings and me must some time or other appear before the Public: I do not wish to prejudice the Mind of any Man against him. My Conduct perhaps may be condemned on other Ground, but I do not see how it can be fairly imputed to base or interested Views. The Cause which I have hitherto endeavoured to maintain is not mine; I have no greater personal Concern in it than any other Member of the Community. After all, what is it to me more than to any other Man, whether there be a Maratta War or not, or in what Manner it is conducted?

(Signed) P. Francis.

A P P E N D I X, N° 12.

View of Dispute between the Council and Select Committee at Bengal.

Select, Letter from, 31st Aug. 1770, Par. 18, to the End.

THE Select Committee; viz. the President, and Messieurs Claud Russell and Charles Floyer, advise the Court of Directors, that the Council has infringed the Powers of the Select Committee.

That the Committee have, however, the Satisfaction of their Sentiments being confirmed by their absent Members.

They urge the Necessity there is, that the Court of Directors be very explicit, how far the Line, drawn in January 1768, stands in Force, and renders the Select Committee independent of the Council; because, until that is determined, they say, there can be no Stability of Measures; and an undetermined Authority may be attended with very serious Consequences to the Affairs of the Company.

Letter from, 11th Sept. 1770, Par. 8.

The Select Committee repeat their Opinion, that great and important Inconveniences may arise to the Company, from the present embarrassing Situation of the Select Committee.

The

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The Council, in their Secret Department, observe, that having lost all Expectations of seeing the Commissioners, they judged it improper any longer to delay those Objects of Reform and Regulation respecting the Dewannee Revenues, to which the Court had directed their Attention, in their Commands per Lapwing.

They therefore agree to take the Subject into Consideration; and to have it determined, how far the Authority of the Board and of the Select Committee do extend.

Mr. Russell dissents from the above Resolution of the Board; because he deems a Discussion of the Powers of the Select Committee to be foreign to the Business of the Council. He refers to the Company's Letter, 12th January 1768, for an Explanation of the Powers of the Council, and of the Select Committee.

Whereupon the President deems it his Duty to summon a Select Committee, to inform them of the Purport of the Matter; and to deliberate on the Propriety of the late Determination of the Council. He then lays the Resolutions of the said Committee before the Council, and protests against the Council's Proceedings.

He expresses his Surprise at the Motion lately made in Council; and alludes to the Company's Letter of 12th January 1768, Paragraph the 9th, which confirms the Select Committee; and to Paragraph 10th, which particularly marks their Powers; one of which Powers is, * *"To superintend the Collection of the Revenues arising from the Dewannee."*

The President says, That no future Letters from the Company have directly broke the Line drawn in the above Letter of the 12th January; nor can such Intention be inferred by fair Implication, unless in the Appointment of Commissioners. And that, in case of Accident having happened to those Commissioners, it is not the Company's Intention for the Plan of Reformation, *in the Mode* of collecting the Revenues, to fall under any other Part of their Administration than the Select Committee; for if such had been the Case, the Court would in express Terms have withdrawn the Select Committee's Power; therefore, he cannot consent that any other Persons should share an Authority, which, in his Opinion, was never intended by the Company.

Mr. Floyer's Opinion—Mr. Floyer is of Opinion, That the said Letter of the Court of Directors, has fixed the Line of Duty both of Council and Select Committee; and observes, that although the Company has thought fit to transmit, in their General Letter, the greatest Part of their Orders respecting the Select Committee's Department; yet the Distinction has ever been deemed so conspicuous, that the Council have always transmitted to the Select Committee those Paragraphs of the General Letters, which fall under the Cognizance of the said Committee; by which Means, the Powers of the Select Committee have been always exercised, without any Prejudice to the Authority of the Board.

That if the Court of Directors intended that the Management of the Dewannee Revenues should be under the Council at large, there would be no Necessity for having continued so independent an Authority as that of the Select Committee; because the Collection of the Revenues is by far the most important Branch of the Government.

That in regard to the Point in question, so far are the Council from being authorized to carry it into Execution, that they are *expressly told, that it would be given in charge to the Commissioners*. This Assertion cannot be fully warranted by the Records. The Measure in question was indeed mentioned in the Commissioners Instructions; who are therein told, that a single Person at the Durbar is not sufficient, but that a Resident and Council, at the chief Places of Collection, seems a more eligible Measure; but the Particulars of the Plan were alone transmitted to the Governor and Council. That as the Power hath never been granted to the Council, it ought to remain with the Select Committee until the Arrival of the said Commissioners; and that should their Arrival be prevented by any unforeseen Accident, the Management of the Dewannee Revenues must still be vested in the Committee only. That if the superintending Power over the Revenues was intended to have been vested in the Council, the Commissioners would have been directed to consult that Board, and not the Select Committee, on a Subject of so much Importance to the Government.

That it was his Opinion, the Council had not the Power of entering upon a Discussion of the Committee's Authority; nor could the said Committee be justified in giving up any Part of their Authority to the Council.

Mr. Russell conceives, that the late Resolution of the Council is irregular and unprecedented; and that a Discussion of the Powers of the Select Committee, is foreign to the Business of the Council:

That by Letters from England of 12th January 1768 and March 1769, so late as Three Months only before the Lapwing's Departure, the Court had provided for a Succession to Vacancies in the Select Committee; and as no Repeal of their Orders had been transmitted, they must be still understood to remain in Force, beyond the Discussion or Controul of the Council:

That if the Court of Directors had meant to abridge, or revoke, the Powers of the Select Committee, they would have been explicit, and not have left any thing to be decided by Implication:

That the Lapwing's Letter implies no such Intention, as an Abridgment of the Select Committee's Power: That many Instances may be produced wherein the Council have been immediately addressed, Orders conveyed to them, and Censures passed on their Conduct, when in Fact, the said Orders and Censures could only be applicable to the Select Committee; and that the Company's Letter per Lapwing only conveys their Sentiments at large, and leaves it to the Board and Committee to separate what relates to each Department, according to the Line formerly drawn between them:

Letter from,
8th Sept. 1770,
Par. 7, 8, and 9.

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19th June 1770.
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June 27th.
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27th June 1770.
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Page 24.

Page 24 and 25.

Page 25.

Pages 26 and 27.

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Secret Conf.
27 June 1770.
Pages 26 and 27.

That it is very improbable that the Company meant to revoke, in Whole or in Part, the Powers of the Select Committee at Bengal, at a Time when they were establishing similar Committees at their other Presidencies; and when they had, by their last Letters, expressly commanded the Select Committee to assist the Commissioners: That the Powers of the Select Committee remain as they were fixed in 1768; and that, as before observed, the Letter per Lapwing implies nothing to the contrary: That the Board cannot, without perverting the Meaning of the Company's Orders, consider the Plan of Revenues as addressed to them; and that it is not meant, that the Measure should be carried into Execution, either by the Council or * Select Committee, but by the Commissioners only; and further, that the Committee ought to remonstrate against, and warn the Council of the evil Tendency of their late Attempt.

The Select Committee being unanimous, that the Resolution of the Council is irregular, and having deliberated on the Nature and Tendency thereof, resolve and determine,

1st. That the Powers of the Select Committee are precise, and that they have not been, directly or indirectly, altered, revoked, or abridged, either by Expression, or by the most distant Implication.

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3d. That in regard to Arguments being drawn from the Style of the Lapwing's Advices to the Council, on the Subject of the Revenue, in Prejudice of the Powers of the Select Committee, they are hasty and inconclusive; because it is usual for the Court of Directors to address the Committee through the Channel of the Board, without any Intention to diminish the Power of the Select Committee, leaving to the Council and said Committee, to regulate and separate what belongs to each Department.

That the Council themselves have always put such Construction on the Company's Orders, and selected, and sent to the Committee, such Paragraphs as peculiarly relate to their Department.

4th. That the very Existence of the Select Committee is affected by this Motion of the Council; because the Question of the Committee's Right may be applied to all political Transactions whatever.

5th. That the Orders respecting the Reformation in question, do neither regard the Council, nor the Select Committee; but the Commissioners only: And should they never arrive, it rests with the Select Committee alone to execute those Orders:

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6th. That it is contrary to all Form and Rule to suppose, that the Court could intend an Abridgment of the Select Committee's Powers, and leave their Sentiments, on a Subject so delicate and important, to be collected from loose unconnected Hints, scattered up and down in their Letter, without expressly declaring their Pleasure concerning it:

7th. That the Select Committee is not amenable to the Council:

8th. Nor can they concede to the Council any of the Powers mentioned in those Letters, which vest them in the Select Committee; *but they declare, that they will uphold and maintain the same, notwithstanding any Proceedings of the Board to the contrary.*

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Mr. Barwell is of Opinion, that the Subject to be considered is not the Powers of the Select Committee, but how far Individuals are responsible for the Execution of Orders, transmitted by the Court of Directors to the whole Body of the Council; and in what Degree the Court may deem the Members of Council responsible, should they acquiesce in an Authority, assumed by the Select Committee, to debate upon the Propriety of enforcing, or not enforcing, the Company's Orders:

That it is absurd to suppose the Court would issue Orders of the greatest Moment to the Council at large, if such Orders were to be executed by the Select Committee alone:

That the Intentions of the Company, by the Measure in question, appear too strongly pointed out to be mistaken by the Board: He concludes with asking, Who is to execute the Court's Orders, sent to their Governor and Council? Upon which,

The President proposes a previous Question; viz.

Whether, after the Protest of the Select Committee against the Council, the Board shall enter upon the Subject at all?

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Mr. Barwell gives it as his Opinion, That the Protest of the Select Committee cannot affect the Deliberations of the Board.

Mr. Reed is of Opinion, That it was *unanimously* agreed at their last Meeting, to take the Matter into their Consideration; therefore, he conceives that the President only means to caution the Board not to attempt to pass the Line drawn by the Company; and he desires it may be understood, that it is far from his Wish to intrude on the Province of the Select Committee; all he requests is, to take the Sentiments of the Board upon the Intentions of the Court of Directors, respecting the Powers vested in the Council by the late Orders addressed to the Governor and Council.

Mr. Russell answers, That Mr. Reed is mistaken: That the Board was not *unanimous* in their late Resolution. To which Mr. Reed replies, That there appeared no Dissent therefrom at that Time; which is the true State of the Case.

Messrs. Hare, Jekyll, and Lane, concur with Messrs. Barwell and Reed, that the Protest of the Select Committee ought not to impede the Deliberations of the Council.

Agreed, by the Majority, That the Subject be debated.

* Mr. Russell expressly contradicts his own Words, in Page 62; and owns, *that the Measure should be carried into Execution by the Select Committee.*

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But previous thereunto, the President proposeth another Question; viz.

Whether the Powers of the Select Committee, as contained in their General Letter of 1768, stand repealed by any succeeding Letters to the Governor and Council?

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27th June 1770.
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Mr. Barwell is of Opinion, That the Question of the President is foreign to the Subject; and that the Powers of the Select Committee, be they what they may, cannot subvert the Company's late Orders, addressed immediately to their Governor and Council.

Mr. Lane is of Opinion, The Select Committee's Powers are not repealed.

Mr. Jekyll is also of Opinion, They are not repealed.

Mr. Hare believes, They are not repealed; but that it can be no Argument against the Board's exercising the Powers vested in them by the Company's Orders.

Mr. Reed says, That although the Select Committee's Orders do not appear formally repealed; yet if subsequent Commands counteract former Orders, he is of Opinion the latter should be adhered to.

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Mr. Floyer is of Opinion, They are not repealed; and that no subsequent Orders received can possibly be construed into a Diminution of their Authority.

Mr. Russell declares, They are neither repealed, nor abridged.

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The President concurs with Messrs. Floyer and Russell.

The Majority are of Opinion, *That they are not repealed.*

Mr. Barwell observes, That his Intention is by no Means to question the Powers of the Select Committee; but he only desires to receive Information on Points relative to his Duty as a Member of the Board. He therefore proposeth a Question to this Effect:

How far is every Member of the Board responsible for Orders transmitted by the Court of Directors to the Governor and Council? or in what Degree reprehensible, for acquiescing in an Authority assumed by the Select Committee, to debate upon the Propriety of enforcing, or not enforcing, the said Orders?

Mr. Barwell's Opinion is, That Orders from Masters to Servants imply an Expectation of Obedience: That Servants will be deemed blameworthy, should Complaisance to Fellow Servants induce them to refer the Execution of the Company's Orders to Persons not intrusted therewith by the Company.

Mr. Lane concurs with Mr. Barwell.

Mr. Jekyll's Opinion is, *That every Member is responsible for all Orders addressed to the Governor and Council.*

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Mr. Hare's Opinion is, That every Member is responsible for the Execution of all Orders, which are not particularly addressed to the Select Committee.

Mr. Reed's Opinion is, That every Member is responsible; and that Inattention to Orders of so great Importance as the Subject in Debate, would draw upon the Board the severest Displeasure of their Employers.

Mr. Floyer's Opinion is, That a Member of the Council is only responsible for the Execution of such Orders as are pointed out by the Court of Directors to be within his Department; and that it is the Duty of the Board, to refer all Orders to the Select Committee, which are within the Line prescribed by the Company's General Letter, 12th of January 1768, Paragraphs 9 and 10.

Mr. Russell's Opinion is, That every Member is responsible; but that it being customary for the Company to convey Orders through the Channel of their General Letter, which, nevertheless, fall immediately under the Select Committee's Department, the Council cannot be deemed responsible for the Execution of such Orders, which evidently do not relate to their own Department.

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Mr. Cartier's Opinion is, That no Servant is responsible for Orders which have no Reference to his particular Department.

The Opinion of the Majority being collected, it is, *That every Member is responsible for Orders addressed to the Governor and Council.*

Mr. Barwell proposeth a Second Question:

Whether it be not improbable, that the Company would issue precise and positive Orders, of the greatest Moment, to the Council at large; and yet suppose that the Select Committee alone should execute those Orders, independent of the Council?

Mr. Barwell's Opinion is, That it cannot be supposed the Company would issue Orders to their Servants in Council, when they must know, at the same Time, that those Servants had it not in their Power to obey their Masters Orders.

Mr. Lane agrees with Mr. Barwell.

Mr. Jekyll's Opinion is, That the Court of Directors, in their Letters, have Respect to the different Departments; and, in consequence, issue their Orders to those, by whom they expect them to be executed.

Mr. Hare's Opinion is, That the Orders of the Court of Directors are too clear to admit a Doubt by whom they should be carried into Execution.

Mr. Reed cannot conceive, That the full and particular Orders in question would have been sent by the Company to the Council, on the most important Subjects, if the Council were not intended to execute those Orders; and observing especially, that the Court of Directors have not at all addressed the Select Committee on that Occasion.

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Mr. Floyer only refers to his former Opinion, already delivered in to the Board.

Mr. Russell thinks the Question is answered by the Determination of the Board, *that the Court's Orders to the Select Committee stand unrepealed.*

SEL. COM. REP. V.

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Mr.

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Mr. Cartier refers to Examples, wherein the Company reply, in their General Letters, to such Transactions as respect the Select Committee only, and sees no Contradiction in understanding the present Orders in that Light.

The Opinion of Majority being, That all Orders addressed to the Board should be executed by the Governor and Council;

A Third Question was proposed by Mr. Barwell:

Whether the Board ought to act conformably to what appears to be the Intention of the Company? which Intention, he observes, is too strongly pointed out for the Board to mistake it.

Mr. Barwell is of Opinion, That it is the Duty of the Board to fulfil the Company's Expectations, and not to object against the Mode by which they are expressed.

Mr. Lane concurs with Mr. Barwell; and

Mr. Jekyll does the same; unless, from a thorough Conviction, the Board should be satisfied, that a Deviation from what appears to be the Company's Intentions, would be more for the Company's Interest.

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Mr. Hare is of Opinion, that the Board ought to pay a strict Regard to what appears the Intention of the Company, and to act as near to the Spirit of their Commands as possible.

Mr. Reed agrees in Opinion with Mr. Jekyll.

Mr. Floyer does not think the Board justified in putting their own Constructions on any Part of the Company's Letters, when *positive Orders are opposed thereto* *.

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Mr. Russell is of Opinion, that the Council ought to confine themselves to the Company's *Positive Orders* †, and not exceed the Line drawn in January 1768.

The President is of Mr. Russell's Opinion.

Upon a Collection of Voices, the Majority are of Opinion, That the Board ought to act agreeably to what appears to be the Intention of the Company.

Whereupon a Fourth Question is immediately put; viz,

Who is to execute the Company's Orders to their Governor and Council?

Mr. Barwell's Opinion—The Governor and Council.

Mr. Lane's—The Governor and Council.

Mr. Jekyll—The Persons to whom the Orders are addressed.

Mr. Reed—The Governor and Council, in all Cases where they are not expressly referred to any other Department.

Mr. Floyer is of Opinion, That the Court of Directors have anticipated an Answer to that Question, by appointing a Council and Committee to perform the Duties of their several Departments.

Mr. Barwell wishes Mr. Floyer would be more full and explicit.

The Board deem Mr. Floyer's Answer sufficient.

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Mr. Russell is of Opinion, that such Orders as relate to the Board should be executed by the Council; and that the same Rule should be observed by the Select Committee.

Mr. Cartier is of Mr. Russell's Opinion; and that the Rule of their Conduct be the Line which was drawn in January 1768, by the Court of Directors.

Mr. Barwell objects to these Opinions, as insufficient, and not directly to the Question:

The Board over-rule Mr. Barwell's Objections, and deem the Answers sufficient.

The Majority agree, That the Company's Orders to the Governor and Council ought to be executed by that Board.

Whereupon Mr. Barwell proposeth a Fifth Question.

Whether, upon the supervising Power being withdrawn from the Select Committee, it be abolished, or conferred on the Governor and Council?

Mr. Barwell is of Opinion, That of Necessity a general supervising Power must exist in the Government; and that being withdrawn from the Select Committee, it devolves again on the Board of Course.

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Messrs. Lane, Jekyll, Hare, and Reed, concur with Mr. Barwell.

Mr. Floyer is of Opinion, that a general superintending Power being withdrawn from the Committee by the Court of Directors, is not vested in the Council, nor is it intended by the Court of Directors to exist at all; but that each Department enjoys its own particular superintending Power.

Mr. Russell is of Opinion, that the Board has a superintending Power in all Things, excepting those relative to the Select Committee; who are in all Matters relative to their own Department, entirely independent of the Council, except in Cases where the Committee is directed to obtain the Council's Approval.

The President concurs with Mr. Floyer.

The Majority are of Opinion, that as the general supervising Power is withdrawn from the Committee, it becomes vested in the Council of course.

Mr. Reed proposeth a Question—Whether it doth not appear to be the Meaning of the Court of Directors, that the Comptrollers of the Dewannee Revenues be appointed by, and continue under, the Directions of the Governor and Council?

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Mr. Barwell is of Opinion, That the Orders per Lapwing are too explicit to be mistaken; *that a Committee of Revenue be appointed, and that they be under the Directions of the Board at large.*

* It is not easy to conceive what Mr. Floyer's Meaning can be in the Expression; because, if taken literally, the Company's *positive Orders* are in direct Opposition to Mr. Floyer's avowed Sentiments, repeatedly expressed in the Course of this Debate.

† The same Observation occurs also on Mr. Russell's using the same Words.

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Mr. Lane's Opinion is, That by the Tenor of the Lapwing's Letter, it is intended, that the Appointments and Transactions relative to the Dewannee Revenue, should be through the Channel of the Governor and Council.

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Messrs. Jekyll and Hare concur with Mr. Barwell.

Mr. Reed is of Opinion, That the Company's Commands are so express and clear, that they are not easily to be misunderstood; and that it is thereby intended, that the Comptrollers of the Dewannee Revenue should be appointed by the Board, and continue under its Direction.

Mr. Floyer is of Opinion, that the Company's Intention was to vest a sole Power in the Commissioners, to appoint Comptrollers of the Revenue, and to adopt a new Plan for the Management of the Collections: That in case the Commissioners should not arrive, the Consideration of the Court of Directors Plan would devolve upon the Select Committee; and that *if the Select Committee should deem Councils of Revenue at Moorshedabad and at Patna necessary*, the Appointment of Persons to compose those Boards of Revenue, should be made by the Governor and Council.

Mr. Russell's Opinion is, that if the Council of Revenue should be immediately under the Board at large, it would annex the Revenue Branch to the Council's Department; and that such a Regulation would be contrary to those Orders which constitute the Committee: And as the Board have determined that those Orders, which give Power to the Committee, are not repealed; such Determination of the Board is in itself an Answer to the Question.

Mr. Cartier concurs with Mr. Russell.

The Majority are of Opinion, that it is the Meaning of the Court of Directors, that the Governor and Council do execute their Orders relative to the Appointment of Comptrollers to the Dewannee Revenues, and that such Comptrollers be under the Direction of the Governor and Council.

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Mr. Barwell submits another Question to the Board; viz.

Whether the Sentiments of the Majority are to be adopted, and the Minority to comply therewith?

Mr. Barwell is of Opinion, that Government cannot exist if the Minority be permitted, at Pleasure, to control the Sentiments of the Majority.

Messrs. Hare, Lane, and Reed, concur with Mr. Barwell.

Mr. Jekyll also, provided the Sentiments of the Majority be not repugnant to the Orders of the Court of Directors.

Mr. Floyer's Opinion is, That the Majority of Voices in the Council should direct the Operations of Government, so far only as such Operations come under their Department; but that such Majority ought not in the least to influence the Committee, whilst they confine themselves within the Line prescribed by the Court of Directors.

Mr. Russell declares, That a Majority must sway in all Matters which come under the Council's Department.

Page 43.

The President is of Opinion, that the Power of the Council respects the Disbursements of Money upon extraordinary Emergencies, and the Approval or Ratification of Treaties: That all other Proceedings of the Committee are foreign to the Council, and laid before the Council rather for their Information than their Control.

The Voices being collected, the Majority are of Opinion, That all Matters submitted to the Judgment of the Board, are to be determined by a Majority of Voices.

The Orders of the Court of Directors, upon which has arisen so great an Altercation between the Members of the Council and Select Committee at Bengal, were transmitted in a General Letter to the Governor and Council; and the Lapwing Snow was bought on Purpose, and dispatched Express, that no Time might be lost in conveying the said Orders to that Presidency; and there was not any Letter at all sent per that Conveyance to the Select Committee.

The Paragraphs, which are more immediately connected with the Subject contain these Words; viz. *

" Par. 15. A Plan of Reformation, of so extensive a Nature, cannot be effected by One Man; it must be the constant Attention of many; and for this Purpose, we have resolved to establish a Committee, of some of our ablest Servants, for the Management of the Dewannee Revenues at Muxadavad, for the Bengal Province, and at Patna for that of Bahar.

" 16. The Gentlemen, to be so appointed shall be Comptrollers for the Management of the Dewannee Revenues, under your Direction; and they are to have so many other of our Junior Covenanted Servants for Assistants, as from Time to Time may be found necessary to be sent into the several Provinces; to correct Abuses, and maintain the intended Reformation.

" 17. The Object of this Council must be; first, to inform themselves of the real State of the Collections in every Part; that is to say, what Rents are at this Time actually paid by the Tenants, and what was paid formerly? What is the Nature of the Cultivation, and what the chief Produce of each District; and whether, in that Respect, there seems a Prospect of Improvement. They are next to inform themselves of the Amount of the Charges of Collection for some Years past, in as particular a Manner as possible; and you are then to judge how many of the Aumils, and other Officers, among whom those immense Sums have been divided, may be spared. This Saving, as far as it can reasonably be carried, at the same Time that it will be a Profit to the Company in Point of Revenue, will likewise be a Relief to the Tenant; for it cannot be doubted, but that these numerous Instruments of Power lay the Inhabitants under Contribution, in various secret Ways, over and above what appears upon the Face of Accounts.

* Compare these with Par. 5, 6, 13, to 20.

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18. In this Reformation you are to proceed with a moderate, steady, and persevering Spirit of Enquiry; looking rather to the Prevention of Frauds for the future, than the Punishment of those Offences which have already passed; and which, if not justified, are at least much palliated, by the immemorial Custom of the Moorish Government."

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Mr. Reed, in a Minute, observes, That the above quoted Orders are full, positive, and explicit.

That he cannot conceive it was intended by the Court of Directors, that Matters of so great Moment should be delayed till the Arrival of the Commissioners, the Time of whose Departure was not so much as fixed when the Lapwing sailed. That it is improbable the Court would have been at the Charge of an Express, to convey to the Governor and Council certain Orders which could not be supposed to take place before the Arrival of the Commissioners; because, in case this had been their Intention, they might have delivered the Orders to the Commissioners themselves.

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That Expectation of seeing the Commissioners, had induced him to remain so long silent: But that Six Months having passed since they were at the Cape; and the Revenues being in Arrears, and in a perplexed and declining State; not merely owing to the Calamities arising from want of Rain, but by the Venality and Mismanagement of the Collectors; the Case was now altered, and the Evils required a speedy and effectual Remedy.

That the Appointment of Civil Servants* by the Select Committee to Posts in the Service, without the Knowledge of the Council, is an unusual Stretch of Power; and could not but alarm those Members who were left ignorant of such Appointments.

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That the Discontinuance of a Measure unanimously adopted by the Council and Select Committee, to form a Secret Department, and to lay the Select Committee's Proceedings from Time to Time before the Council for their Approbation and Concurrence, was also a Matter of great Concern to him; and therefore, being desirous of seeing the Company's Expectations answered respecting the Dewannee Revenues, and the general Good of the Country promoted, he judged it his Duty to concur in the Proposal made at the Board the 19th of June. But that as to a Discussion of the Select Committee's Powers being a primary or immediate Object, he was certain it was far from being intended by those Gentlemen who now differed from the Gentlemen of the Select Committee in their Sentiments upon the above Subject, and who promoted the general Measure proposed to be agitated at that Time.

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That the Select Committee had not waited for the Day in which it was *unanimously* agreed in Council, to take up the Matter; but had met as a Select Committee, and pronounced the late Resolution of the Council irregular. That the Council and Select Committee had heretofore *unanimously understood*, that the general superintending Power was withdrawn from the Select Committee, and that it had devolved of course on the Council was very evident; because they had agreed thereupon to form a Secret † Department in the Council, and determined that the Select Committee's Proceedings should, from Time to Time, be laid before the said Secret Department, for their Consideration and Concurrence. And that the Affairs of the Company, respecting the Dewannee Revenues in particular, were considered at that Time as cognizable by the Secret Department, appears fully from the Conduct of the Select Committee; who referred their Plan for supervising the Collections of the Revenues, together with the Instructions ‡ prepared for the intended Supervisors, to the Council at large for their Determination; and which Supervisors were also appointed by the said Board. That it appears very extraordinary, that the Members of the Select Committee should *now* see the Matter in a different Light; and determine that the Council can have nothing to do with the Dewannee Revenues, even notwithstanding the Company's express Orders transmitted to the Governor and Council for that Purpose.

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That although the Court of Directors had at Times signified, through the Channel of their General Letter, their Displeasure concerning the Conduct of the Select Committee, it had been principally respecting Measures which had been adopted with the Concurrence of the Board at large. And as to its being urged by the Select Committee, that it had been a common Practice for the Council to transmit such Extracts from their Letters as might be deemed cognizable by the said Committee; if this proves any Thing, it must be, that the Board did not see the Lapwing's Dispatches in that Light, and therefore never transmitted them to the Committee; but that the Board's General Letter of 31st January last, wherein they reply to the Lapwing's Letter in question, is an absolute and striking Proof, that they were then *unanimously of Opinion*, That the Orders received per Lapwing, relative to the Dewannee Revenues, were intended to be carried into Execution by the Governor and Council.

Mr. Barwell recapitulates the several Opinions and Resolutions of the Board on the Subject at their last Meeting; viz.

That the Board is reprehensible for not executing the Company's Orders.

That the Board ought to execute those Orders.

That the general supervising Power rests with the Council.

* Vide Mr. Lushington's Appointment, by the Select Committee alone, to be an Assistant to Mr. Graham, in the Supervisanship of Houghly; and to succeed Mr. Graham, when the Post becomes vacant. Sel. Conf. 26th May 1770; fol. 322. Mr. Lushington was afterwards appointed, or confirmed, in the Supervisanship of Houghly, by the Council. Vide Secret Conf. 2d August 1770. fol. 81.

† Vide Secret Conf. 22d August 1768.

‡ Vide Secret Conf. 4th September, Page 141. 5th October 1769, Page 152.

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That the Instructions per Lapwing are explicit.
That a Committee of Revenues is ordered to be appointed, under the Direction of the President and Council.

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That Government cannot exist, if a Minority may over-rule a Majority.
That the Powers of the Select Committee were not formally revoked.
As the Gentlemen of the Select Committee have insisted much upon the last-mentioned Resolution; and also, that the said Committee's Authority is independent of the Board; he declares it not his Province to discuss those Points, but that the Company must decide thereupon for themselves.
That if he has erred in his Opinion, it could not be productive of Evil, but tended only to fulfil the Company's Orders.

That the Season of Collection was far advanced, and the Arrival of the Commissioners become exceedingly precarious.

That when the Council * wrote to the Court, and informed them that they should postpone the Execution of the Plan till further Orders, it was because the Commissioners were daily expected; but as near Seven Months had now elapsed since the Aurora left the Cape, there was too much Reason to fear she is lost.

That if the Board does not execute the Court's Plan, there is no Probability of its being adopted at all.

That the Select Committee, by concurring in the said Letter of January 31st, admitted the Propriety of the Board's taking the Subject into Consideration, though they now declare it foreign from the Council's Department, and an Encroachment upon the independent Authority and exclusive Powers of the Select Committee: That the Subject is the same as it was at that Time, and many of the Parties the same: That it not being his Intention to attempt a Refutation of the Arguments urged by the Select Committee in Support of an independent Authority, but without questioning such an Authority to confine himself to the Powers delegated to the Council by the Court of Directors, and to act conformably to what appears to be their Intentions.

The Board agree to take Mr. Barwell's Minute into Consideration; but Mr. Russel dissents from such Resolution.

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Mr. Jekyll observes, That after what has passed, he conceives that nothing can occur to impede their yielding ready and punctual Obedience to Commands, very explicit in themselves, and apparently so very necessary to the Interest of the Company, as are the Orders per Lapwing; but as the Measure has met with Opposition from the Gentlemen of the Select Committee, he deems it his Duty to assign his Reasons for concurring so long in a Delay thereof, and for now urging its immediate Execution.

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Page 55.

That when the Board advised the Court they should postpone the Plan till further Orders, they hoped the Supervisors already sent out would in some Degree have answered the proposed Benefits; but that their Appointment had only served to confirm him in his Opinion of the Necessity of an early Adoption of the Plan transmitted by the Court of Directors: That the Safety of the Commissioners is now become exceedingly uncertain; and even should they arrive, he deems the Court's Orders per Lapwing so full, that he believes little more could be added by the said Commissioners on that Point.

Page 56.

That the Year being now far advanced, if the Plan be further delayed, no Advantages could be expected therefrom in the Course of the present Season.

57.

That the Gentlemen of Select Committee have given sufficient Reason to doubt of their Acquiescence in the proposed System at all. He further observes, that although the Select Committee have asserted an independent Authority, he does not think them warranted in some of their Proceedings; and particularly, he believes them not authorized to appoint Servants to Employments without the Knowledge and Concurrence of the Board; nor can he suppose they have any independent Right, as hath been pretended, to the Disbursements of Money, unless in Cases of Emergency.

58.

That he means to contend for Authority no further than as it respects the Execution of the Company's positive Orders.

That he cannot but regard Protests against the Liberty of discussing Measures at the Council Board as altogether unprecedented, and as carrying an undue Air of Intimidation.

That the Motive for proposing a Consultation to be held in Council, was Respect to the Company's Orders, and not solely to discuss the Select Committee's Powers, as had been alledged by the Gentlemen who compose that Committee.

That it appears to him, that the Majority of the Members of Council have always disavowed such a Sentiment; and he does now, on his own Behalf, formally disavow such Intention.

That he only concurs in supporting such an Authority as is necessary to enable the Council to execute those of the Company's Orders, for which he deems the Board responsible.

That the Reprehension of the Board for the Select Committee's Conduct implies, that the Court of Directors do not, by any Means, deem the Select Committee independent of the Council, but rather the contrary.

59.

That the Select Committee must have been of the same Opinion, when they themselves moved for the Establishment of a Secret Department; before which Department it was proposed that the Select

60.

* Letter from, January 31st 1768.

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Committee's Proceedings should be regularly laid, for their Approbation or otherwise, and which had, till of late, been the Practice of the Two Departments. That in the Letter per Lapwing, the Governor and Council were directed to adopt a particular Mode for regulating the Dewannee Revenues, which was to be under their own Controul.

That the Governor and Council must have viewed the Matter in that Light, when they subscribed, in their Secret Department, to the Reply made to the Court's Orders upon the Subject.

That Mr. Reed's Sentiments, before expressed, being perfectly consonant with his own, he avoids a Repetition of what has been delivered to the Board by Mr. Reed.

62. Mr. Hare agrees with Mr. Reed; and further observes, on the President's Minute, that as the Council and Committee draw their Conclusions and Pretensions from one and the same Authority, they may possibly both be in some Respects erroneous: That if the Board is in an Error, it errs in fulfilling the Company's Commands; but that the Select Committee's Error, if such it should prove, is, in aiming at an independent Authority, to judge whether it be proper to obey the Company's Commands or not.

In consequence of Mr. Barwell's Minutes, another Question is proposed to the Board; viz.

Whether the Company's Intentions, of having Councils of Controul at Muxadabad and at Patna, shall take place?

Mr. Barwell is of Opinion, That the Company's Intentions should take place. Messrs. Reed, Hare, and Jekyll, concur with Mr. Barwell.

Mr. Floyer is of Opinion, That the Council of Controul are intended to be appointed by the Commissioners only; and that, in case of Accident happening to them, the Plan already * adopted by the Select Committee should continue in force till the Orders of the Court of Directors be known.

Mr. Russell thinks the Subject in Debate does not come properly before the Council; but gives it as his Opinion, that the Company's Intention should take place, and that the Measures should be adopted by the Select Committee.

Mr. Cartier is of Opinion, That the Measure ought not to be adopted without more ample Instructions from the Company.

The Majority being for the Question;

Messrs. Beecher, Reed, Laurell, and Graham, are appointed a Committee of Revenues at Muxadabad; and Messrs. Alexander, Vanfittart, and Palk, are appointed to the like Office at Patna.

64. Whereupon the President again urges, as a Reason for suspending the above Appointments, *That the Plan in question is intended to be carried into Execution by the Commissioners*: That those Commissioners being furnished with ample Instructions, may either approve the Plan proposed, or adopt any other that may appear more advantageous: That, in the Course of the Year, the Council may be ordered to open the Commissioners Instructions; without which, they may wander from the chief Design of the Company: That the deep Distress of the Country, and an empty Treasury, together with the improper Working of Imagination in the Natives upon every important Change of System, render the present an improper Time to try the Experiment: That though he does not think the Measure in itself dangerous, he thinks it ill timed: That Three Months sooner, or Three Months later, would be more proper; because, as the Collections were then just commencing, it might possibly prove a Means of checking them: And that no Alteration ought to be made for Two Months at least.

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67.

The respective Councils of Controul were thereupon ordered to hold themselves in Readiness to take Charge of their several Appointments, *by the First Day of September ensuing*; of which the Resident at the Durbar was also advised.

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Page 68.

Draft of Instructions being prepared for the Council of Controul, and ordered to remain for Consideration;

Mr. Floyer dissents from that Resolution; and gives it as his Opinion, That all Orders and Instructions of that Nature should proceed from the Select Committee, they being alone responsible for all Matters relative to the Dewannee Revenue.

69. Mr. Russell also dissents, for the like Reasons.

The † Council have complained, in their Secret Letter, that the Proceedings of the Select Committee are not laid before the Board, for the Approval of the Council, as in Times past, *but for their Information only*.

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The Circumstance adverted to, and which seems to have given Rise to the above Complaint, appears not very accurately represented by the Council in their Letter to the Court of Directors.

The Fact is this; the Select Committee having laid their Proceedings of the 9th and 21st June before the Council; and the President having declared, that a Part thereof were for the *Approbation of the Council, and the Remainder for their Information only*, it appears, that the Subject of the Proceedings of the Select Committee, which were submitted to the Council for their Approbation,

* Mr. Barwell notes here, that the Measures said to be adopted by the Select Committee, were only recommended by the Select Committee to the Council; but that it was adopted by the Council at large.

† Secret Letter from, 8th Sept. 1770, Par. 20.

were

were two-fold : The first, respecting the Appointment * of Four Persons to be Supervisors for the Bahar Province ; and the Second, was the Deviation which they had made from the original Plan of Supervisors. The Appointment of the Four Supervisors, was † afterwards confirmed by the Council, in their Secret Department. The other was ordered to lay by for Consideration.

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The only Impropriety of the Select Committee's Conduct in this Instance seems to be, in having so long ‡ deferred to lay those Matters before the Council, to which the Concurrence of that Board was deemed necessary.

In Answer to the Dissents of Messrs. Russell and Floyer, Mr. Barwell desires it may be remembered, that neither Mr. Russell nor Mr. Floyer had contended for exclusive Powers, *in order to fulfil the Company's Orders; but to judge of, and to controul, the Company's Commands at their Pleasure.*

75.

That he hopes the Court of Directors will not be displeased, that the System they have laid down for regulating the Dewannee Collections, has been so long delayed ; when they consider, that a Want of Harmony in the Execution of Orders, must ever greatly embarrass those who most wish to fulfil them.

Mr. Floyer answers, That although he may unhappily differ in Sentiment from a Majority of the Board, it shall never influence him to counteract their Proceedings, nor render him backward in enforcing them.

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The Board having notified the Appointment of Councils of Revenue to Mr. ^a Becher at the Durbar, and Mr. Alexander at Patna.

79 and 80.
Vide page 67.

Mr. Becher replies, That so long as his Stay in the Country will permit, he shall not fail to promote the Company's Welfare, and the Interest of the Country, in Conjunction with the Persons appointed to form the intended Council of Controul at Muxadabad ; but laments, that the Gentlemen so appointed should be so soon recalled from their Employments as Supervisors ; and declares his own Resolution to proceed to Europe by one of the Ships of the present Season.

Mr. Alexander promiseth entire Obedience to the Council's Appointments and Commands on this Subject.

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23d August,
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Instructions having been prepared by the Board, for the Guidance of the Gentlemen appointed to be Councils of Controul, and those Instructions being founded upon, or consonant to the Letter and Spirit of the Orders transmitted by the Court of Directors per Lapwing, there would remain little Doubt of the Measure operating according to the Intentions of the Court, were it not for sundry Orders and Resolutions of the Select Committee, which seem but too evidently to clash with the Directions of the Council ; and, if enforced, must in all Probability obstruct, if not entirely defeat, the Ends proposed to be obtained by the Plan in question. It becomes necessary therefore to take a View of the Proceedings of the Committee on this Subject, in their Select Department. The Select Committee having communicated Copies of their Proceedings to Messrs. Becher and Alexander, observe, in their Letter to the Court of Directors, *that they cannot avoid remarking, with peculiar Satisfaction, that their Sentiments are confirmed by their absent Members ;* but it evidently appears, that this is rather a partial Representation of the Case ; for as the Proceedings § of the Select Committee, to the 28th June only, were transmitted to their absent Members, together with Extracts of the Company's Letters, those absent Members could only judge from Appearances, as represented by one Side of the Question, to that Period ; and their Answers only prove, ** that they concur in Opinion with the President and Select Committee, *so far as the Lights then before them enabled them to judge of the Matter in dispute, without knowing what Arguments had been, or might be urged by the Council, in Support of the other Side of the Question.*

Select Letters
from, 31st August
1770, Par. 18.

The Council further represent to the Court of Directors, *that the Select Committee have not scrupled to frustrate the Intentions of the Council, in the Appointment of Supervisors, by annulling the Powers which were vested in those Supervisors by the Council ; which they say has been done, without receiving any new Lights on the Subject.*

Select Letter
from, 8th Sept.
1770, Par. 28.

Upon examining this Assertion, it appears, by Mr. Becher's Letter, that the extraordinary Drought had occasioned the Loss of more than One Third of the Inhabitants by Famine. That in some Places the Living were reduced to the Necessity of feeding upon the Dead. That the Balance due from the Zemindars and Farmers amounts to near 18 Lacks of Rupees. That his Attention is engaged in considering a Plan for the present Year's Collections. That no Man has more at Heart the supervising Plan than himself ; but that Innovations, in the Mode of conducting the Revenues, should be gradual, and tried in a few Districts, before it became general. That it would be imprudent to risk a large Deduction from the present Year's Revenues, by a total Change in the Mode of Collections. That the Uncertainty in the Crops, and of Course of the Collections for the present Year, and the absolute Necessity of immediate Supplies, occasion him to consider the latter *as the great Object of his Care.*

Select Conf.
9th June 1770:
Page 346.

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That the Zemindars, Aumils, and Farmers, are unwilling to enter into Engagements for the Re-

* Select Committee, Conf. Folio 338.

† Secret Conf. 22d August, Page 82.

‡ Select Committee's Proceedings of 9 and 21 June, were not read in Council till 24 July.

§ Select Conf. 28th June 1770. Folios 429, 446, and 448.

** Vide Mr. Becher's Answer, Select Conf. 19th July 1770, page 466 ; and Mr. Alexander's, page 467.

venues,

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Select Conf.
21st June 1770.
Page 406.

408.

venues of the approaching Season, unless they may be supported, and permitted to make their Collections, *without Interruption from the Supervisors.* That they declare the Reason why their Balances are so large, is, because of the Uncertainty of Measures to be pursued. That the Shroffs will not advance Money to the Cultivator; and therefore he requests to know the Select Committee's Opinion, *whether this be a proper Time for the Company to submit to so heavy a Loss, as must be incurred by a Stoppage of Public Credit.*

That with respect to the general Plan of Supervisors, there appear but Two Ways of proceeding in it. The First is, to throw the Collections into the Supervisor's Hands: The Second is, not to suffer them to interfere, otherwise than in Support of the old Collectors, for the present Year. And upon the maturest Deliberation, he is of Opinion, that the latter Scheme should be adopted for the present Year; but he submits the Matter to the Committee; and declares he will punctually obey whatever Orders he may receive from them. That after a plentiful Season, and upon the Prospect of another, Experiments may be tried without much Danger.

That although he had, in March last, recommended that English Gentlemen should settle the Bundabust in the several Districts, he did not then foresee the Drought which has since happened; nor was he aware of the Alarm it would occasion to the Zemindars, who apprehended their Authority was to be curbed by the Supervisors. He therefore repeats his Wish, that they may not have the Management of the Revenues till next Year; and that in the mean Time they may be fully employed in encouraging Trade and Cultivation, and in obtaining a better Knowledge of the Country, and its Capability of Improvement; all which must be of great Use, when we come to step forth as Principals in the Government of Bengal, which he presumes will be soon; but that, until we do this, the Authority of the Country Government should have its full Influence; which is prevented, by the controlling Powers vested in the Supervisors.

That although Art and Intrigue may possibly be at the Bottom of the Zemindars Complaints, nevertheless he is of Opinion, that *young Gentlemen, with little Experience, will not be able to counteract the Obstructions* occasioned by the Natives; and that it would be imprudent to risk the present Loss it might occasion to the Company.

That although he disapproves the putting the Collections in general into the Hands of the Supervisors, he wishes the Experiment may be tried *in one or two Districts*; where, nevertheless, the Supervisor should be instructed *to pay proper Regard to the Orders of Mahomed Reza Cawn*, whose Authority should be supported whilst he is continued in his present Station. That he is happy in having been the Instrument of *preventing the Supervisors from proceeding to their Districts in October last*; because Experience has fully convinced him, that in case they had so proceeded, the Revenues would have fallen much further in Arrears. Mr. Becher also transmits a Representation of Mahomed Reza Cawn, who says, that Persons decline giving Security for the Collections, because the Power is divided. That the Tenants will insinuate to the English Gentlemen, that they suffer Oppressions, in order to avoid paying what is justly due to the Landlord; by which Means the Circar will be defrauded.

But notwithstanding these Representations, the Select Committee agree to inform the Resident at the Durbar, that as the supervising Plan was adopted with the utmost Circumspection, and upon the maturest Deliberation, they cannot think of receding therefrom, more especially as they consider the Conduct of the Zemindars, Aumils, and Shroffs, as the last Struggle of desperate Men, who have too long feasted on the Spoils of the Poor: That there is not a single Difficulty started by the Zemindars and Aumils, but what arises from Views of the grossest Self-interest.

The Select Committee having fully answered all the Objections of Mr. Becher, and of Mahomed Reza Cawn, and shewed plainly, that were they to annul the controlling Power of the Supervisors, they would then only serve to increase the Company's Expences, and answer no good Purpose at all; they therefore strenuously urge the Resident at the Durbar to exert himself; and hope, that with the Assistance of Mahomed Reza Cawn he will not fail to succeed in his Endeavours.—Hereupon,

The Resident at the Durbar renews the Subject, and continues to expatiate very largely upon the Inconveniences occasioned by the Supervising Plan; and declares positively, that, *on the Footing which the Supervisors are directed to remain, the Business of the Collectors cannot proceed*: That the Select Committee's late Answer to his Letter had put an effectual Stop to his settling a Bundabust at the City; that Business was therefore at a Stand, the Season advancing, and the Revenues in a very precarious State: That all his Endeavours are ineffectual, to persuade the Zemindars, Aumils, and Farmers, that the Supervisors shall not impede the Collections, but that, on the contrary, they shall yield them all possible Assistance: That although the Committee apprehend the Zemindars Objections arise from the grossest Self-interest, he differs in Opinion, and believes they have the Appearance of Reason on their Side: That the Stoppage of Public Credit still continues, and is likely to do so: That the Treasury is at a very low Ebb indeed, and the Demands upon it enormous, and the Prospects of Satisfaction very distant. He therefore hopes, that what he has before recommended may be adopted, which, he adds, will give a fair Trial to the Supervising Plan, without any very great Risque to the Revenues; and that securing them for the present Year is an Object of greater Importance to the Company than any Advantages which can accrue from all the Supervisors being invested with their controlling Powers One Year sooner. He therefore proposeth, that Five of the principal Supervisors should first exercise their Abilities, and evince thereby the Propriety of the Plan in Question: That although he allows that the others are promising young Men, he cannot think it proper that they should be invested immediately with controlling Powers, but that the Zemindars,

mindars, Aumils, and Farmers, should receive the most positive Assurances, that the said Supervisors should not interfere during the present Year's Collections; and he adds further, that he cannot help recommending a Farming System, in general, above all others.

Select Conf.
21 June 1770.
Page 412.

That he apprehends Rigour with the Zemindars, in order to compel them to embrace our Supervising System, can answer no good Purpose whatever; but that, in a more plentiful Season, they will not be able to throw so many Obstacles in the Way of the intended Plan.

413.

That in proceeding by Degrees all Things may be accomplished to our Wishes; but that, by attempting the Whole at once, a present Loss may be sustained, which our Affairs will not permit, and which may probably prejudice the whole Plan: That it rests with the Committee to put the great Machine in Motion; for, on the present Plan, it will not go: That they must either recede in Part from what they have already done, or proceed further.

That his Opinion stands on Record, and it only now remains for him to obey Orders; which, he assures the Committee, shall be punctually observed to the best of his Judgment.

414.

The above being duly considered by the Committee, they Resolve,

That the Resident's Arguments and Objections are of so serious a Nature, and have so much Weight, that they are induced to acquiesce in his Opinion, and to make Trial of a controlling Power in supervising a few Districts only at first; whereby the Danger, arising from the Introduction of the new System generally and suddenly, may be avoided. They also

Agree, that previous to the Dispatch of their Letter to the Resident at the Durbar, their Resolutions be laid before the Council, for their Information.

391.

But, at a future Consultation, the Select Committee depart from this Resolution; and are of Opinion, that although their Intention *was to have laid their Resolutions before the Council*, before they issue them in Orders to the Resident at the Durbar, yet they now consider, that were they to do this, whilst the present Altercations subsist between the Two Boards, it might produce improper Delay. And as Mr. Becher represents, that speedy Instructions are absolutely necessary, in order to prevent great Detriment to the Collections, they therefore resolve, that the Orders of the Select Committee be issued to Mr. Becher, without further Loss of Time; which was done accordingly.

Select Conf.
28th June 1770.
Page 430.

446.

The Council observe on this Occasion, that the Court of Directors will learn, from the Instructions given by the Board to the Council of Revenue, what would have been the Sentiments of the Board; had they been consulted * upon the Propriety of revoking the former Orders and Authority given to the Supervisor by the Council †.

The Council having carried the Point in question, and appointed Councils of Controul at Muxadabad and Patna, according to the Commands of the Court of Directors; the Select Committee declare it their unanimous Opinion, that the Proceedings of the Council should be opposed with all the Authority of the Select Committee; and resolve to abide by and uphold their first Resolutions; and to insist upon the same implicit Obedience from the Council, when assembled, which they now expect from the Resident at the Durbar, and the Supervisor of the Bahar Province. And

Accordingly the Select Committee inform Messrs. Becher and Alexander, That although the Council, in their Secret Department, have proceeded to establish the said Councils of Revenue at Moorshedabad and at Patna; yet it has *in no Respect shaken the first Determination of the Select Committee; who will continue to maintain their Authority, so far as their Abilities extend, without Regard to any Acts or Proceedings of the Council in Prejudice thereof; and that they shall direct the Council, when assembled, to pay implicit Obedience to the Orders of the Select Committee.*

Select Conf.
19th July 1770.
Pages 468 and 469.

Mr. Becher answers the Select Committee, That as he hath ever with Cheerfulness obeyed their Commands, so he assures them he shall always continue firm and uniform in his Obedience, unless controuled by the Authority of a Superior's Power.—But it does not appear that Mr. Alexander has returned any Reply whatever to the above Letter and Requisition of the Select Committee.

Select Conf.
9th August 1770.
Page 493.

‡ Several Members of the Council have observed, that it was the *known Sense of the Select Committee*, that the Company's Orders per Lapwing *should not be carried into Execution*; and the Charge seems but too fully proved by the Select Committee's own Declaration. Their Words were these; that the Majority of Voices had instituted Councils of Revenue, *in direct Violation of the legal Powers, and contrary to the Intention of the Select Committee.*

Select Conf.
19th July 1770.
Page 463.

This Point being fully and fairly ascertained, throws a great Light upon the Controversy. The Council, so far as appears by the Records transmitted per Lapwing, have only contended for a Power, or Permission, to execute the Company's positive Orders, in a Case where no Latitude whatever had been left them to depart therefrom. The Select Committee have ventured to oppose the Proceedings of the Council; and thereby to frustrate, so far as in them lay, the Intention of the Company.

The Select Committee have rested almost the Whole of their Plea upon the Commissioners being appointed to carry the Measure into Execution. But this Objection the Council have largely replied to, and fully refuted. In the Company's Instructions to the Commissioners, the Measure is only stated

* It appears, by Select Letters per Prince of Wales, that the Council have again restored to the Supervisors the Powers which were originally delegated to them.

† Vide Secret Letter from, 8th Sept. 1770. Par. 28.

‡ Note upon Par. 7, in Secret Letter from, the 8th of September 1770.

Sel. Conf.
19th July 1770.
page 463.

to them as a desirable Object; the Plan itself, and full Directions for carrying it into Execution, were transmitted to the Governor and Council alone. It must therefore seem a forced Conclusion to infer, that the Court of Directors intended that the Execution of their Orders per Lapwing, respecting Councils of Controul, should be delayed until the Arrival of the said Commissioners in Bengal; which Event, from the Nature of Things, and the Probability of their being long detained upon the Coast in order to finish the War, and regulate the Affairs of that Presidency, could not be expected speedily to have taken place.

Secret Letter,
8th of Sept.
1770. Pars. 19,
20, 21, 23, 28.

The Contest has been carried so far, and urged with so much Warmth, that the Minds of both Parties seem in no small Degree imbibited. The Council appear determined to exert their Right to issue Orders to the Councils of Controul; and the Select Committee continue to insist upon an implicit Regard being paid to their Orders. The Council and Committee have differed essentially in many of their Opinions, respecting the Plan and Institution itself, and the Powers with which English Supervisors should in general be invested; and have already more than once clashed and counteracted each other. A Spirit of Recrimination seems to have taken place. The Select Committee complain of Want of Decency and Candour in the Council; but the Members of Council seem to have conducted themselves more candidly than their Opponents, through the Whole of this extraordinary Transaction; and they have in their Favour this Argument; namely, *the Struggle on their Part*, has been only for Liberty to obey their Masters positive Orders; whilst the Select Committee have no such Reason to urge in Favour of their Conduct, in opposing the Execution of the said Orders.

PAPERS relating to the Dismission of Messrs. Cartier, Becher, &c.

Extract of the Company's General Letter to Bengal, dated the 10th April 1771.

Par. 154. As the present advanced Season will not admit of such a Detention of our Ships destined for Coast and Bay as would be requisite for our entering into a minute and deliberate Disquisition of the important Points of your late Advices, we shall take the same into Consideration after the Departure of the Ships now under Dispatch, and shall transmit to you, by some early Conveyance, such Observations and Orders as may appear to us requisite to guide your Conduct in the important Affairs under your Administration.

155. We however must here observe, that notwithstanding the critical Circumstances of your Presidency must have rendered the Exertion of your utmost Abilities, and the firmest Union in your Councils, absolutely necessary; and although the greatest Circumspection became your Duty, in order to preserve that Dignity to your Government, which alone could procure you a proper Degree of Consequence, both in the Eyes of Friends and Enemies; yet we are concerned to find that Disputes between our Council and Select Committee have occasioned an extraordinary Waste of Time, and answered no salutary Purpose whatever. As we shall be more explicit upon this Subject by another Conveyance, we do in the mean Time positively direct, that all Measures which we have heretofore recommended to the Consideration of our Governor and Council, be, with all convenient Dispatch, decided upon according to the Opinion of the Majority of the Council; and that all Orders conveyed through that Channel be enforced immediately, and carried into effectual Execution; and particularly that the Appointment of Councils at Muxadabad and Patna, for the better Management of the Collections, as settled by our President and Council in their Secret Department, do immediately take place.

156. And in order to prevent Delay of Business, or Inconvenience to our Affairs, by any Misapprehension or undue Application of the Powers which it is our Pleasure should be vested in our President and Council, or Select Committee, respectively, we have thought proper, and do hereby direct, that our Select Committee do regard those Objects only as peculiar to their Department, which are particularly specified in our Letter, dated 23d March 1770, Paragraph 180, to which you are hereby referred. And our further Pleasure is, that all other Business be conducted by our President and Council, in their Public or Secret Department, as the Case may require, until a Deviation from these our Orders and Instructions may be warranted by our express Authority, and not otherwise.

162. Considering the Importance of the Government of Bengal, and being well persuaded of the Abilities of Warren Hastings, Esquire, for the due Discharge of the Office of Governor, we do hereby appoint him Second of Council at Fort William, and to succeed Mr. Cartier as President and Governor of Bengal; and we have accordingly directed Mr. Hastings to proceed to Fort William as expeditiously as possible, to take his Seat in Council at your Presidency.

Extract of the Company's General Letter to Bengal, dated the 23d March 1770.

Par. 179. Having taken into our most serious Consideration the Magnitude and Importance of the Management of our Affairs depending on your Civil Establishment; and that the Administration thereof may be conducted to the greatest Advantage of the Company, and the Prosperity of all under their Protection, we have fully instructed the Commissioners to carry the following Resolutions into Execution. That with the Governor, and exclusive of the Military Commander, the Council of Bengal

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A P P E N D I X, N^o 12.

Bengal shall consist of Nine Members, and no more. That none of the Council be permitted to act as Chiefs of any of the subordinate Factories, but shall all constantly reside at Calcutta; the Resident at the Durbar, if that Office shall be filled by a Counsellor, and the Military Commander, excepted. That no Member of the Council shall have any Employ annexed to that Station, but that all Offices be executed by the Senior Servants, not Members of the Board: And that the said Council be formed into proper Committees, that the Controul, Superintendancy, and Direction of the Company's Affairs at the Presidency and Subordinates may be faithfully and impartially transacted, to their greatest Benefit and Advantage; you must therefore comply with such Instructions and Directions as they shall think proper to give relating thereto, until you shall receive our Orders thereon.

180. Besides the foregoing Regulations, it is our Pleasure that our Governor of Bengal, Commander in Chief for the Time being, and Three Senior Members of our Council, be a Select Committee, with Power to make Regulations respecting Peace and War, and negociate with the Country Powers; but not finally to conclude any Treaty, until the Terms and Conditions of such Treaty shall have been first approved by our Governor and Council. The Governor singly shall correspond with the Country Powers; but all Letters, before they shall be by him sent, must be communicated to the other Members of the Select Committee, and receive their Approbation; and also all Letters whatever which may be received by the Governor, in Answer to, or in the Course of his Correspondence, shall likewise be laid before the said Select Committee for their Information and Consideration; and all their Proceedings and Correspondence must be regularly entered on their Consultations, and sent Home in Duplicate.

At a Committee of Correspondence, the 19th April 1771.

The Committee having at several Meetings taken into very mature Consideration the Advices lately received from Bengal, by the Lapwing, whereby it appears, that the Company's Orders to the Governor and Council, respecting the establishing of Councils at Muxadabad, and at Patna, for the Purposes of regulating the Collections of the Revenues, are not carried into Execution.

And it also appearing, that Six Months had elapsed since the Governor and Council had been in Possession of the said Orders: The Council did not think it consistent with their Duty, or for the Interest of the Company, that the Company's Orders, sent express to the Governor and Council per Lapwing, should be longer delayed, they therefore resolved, that the same should be taken into Consideration. Upon which it appears that a Difference of Opinion arose between the Council and Select Committee, the latter being of Opinion, that the Company's Orders per Lapwing could only be carried into Execution by the Commissioners, although expressly directed to the Governor and Council; which Opinion appears the more extraordinary, because the Governor and Council, including the said Select Committee, had, by their Letter dated the 31st January 1770, left no Room to doubt, but that they then unanimously understood the Company's Orders, transmitted per Lapwing, as particularly addressed to the Governor and Council, and also expressed their Satisfaction, that they had in a great Degree anticipated the said Orders of the Court of Directors, upon that important Subject.

And it further appears, that the Difference of Opinion between the Council and Committee has operated so far as to produce a very dangerous Disunion in the Council at Bengal; and this at a Time when Harmony seems especially necessary among the Company's Servants, as well to forward and accomplish the Views of the Company, respecting a Reformation in the Province, as to frustrate those of European or Country Powers, should they at any Time entertain hostile Intentions towards the Possessions of the Company on that Side of India.

And having fully considered the bad Effects which have already been the Consequence of this unhappy and dangerous State of the Council of Bengal, and the Evil Tendency it may have to weaken Administration, and render it inadequate to the great Objects of Reform and Regulation, which are now before the Governor and Council; the Committee are of Opinion, that the Opposition of the Select Committee of Bengal, has prevented the Council from effectually executing the Company's Orders transmitted per Lapwing.

That the Difference between the Council and Select Committee, is of such a Nature, and has been carried to so great a Length, that a cordial Union is by no Means likely again to take place between the Council and Select Committee of Bengal.

That for the above Reasons, and to prevent greater Inconveniences to the Company's Affairs, it is the Opinion of this Committee, that Mr. Becher no longer remain as a Member of our Council in Bengal; and that Mr. Claud Russell and Mr. Charles Floyer be removed from Bengal to Fort Saint George, and that they take their Ranks in the Stations they would now have held in the Company's Service respectively, in case they had remained until this Time without Interruption on the Fort Saint George Establishment.

At a Court of Directors, held on Tuesday the 23d April 1771.

The Committee of Correspondence, in their Minutes of the 19th Instant, offering it as their Opinion, that Mr. Claud Russell and Mr. Charles Floyer, Members of the Council at Bengal, be removed

A P P E N D I X, N° 12.

moved to Fort Saint George, and that they take their Rank in the Stations they would have held in the Company's Service respectively, in case they had remained until this Time without Interruption upon the Fort Saint George Establishment;

And the Court entering into the Consideration thereof;

A Letter from the Select Committee at Bengal to Messrs. Becher and Alexander, entered on their Consultations of the 19th July 1770, was read.

And a Debate of considerable Length ensuing thereupon, it was, on a Motion, and the Question being put,

Resolved, That the further Consideration thereof be postponed till To-morrow.

At a Court of Directors, held on Wednesday the 24th April 1771;

The Court resuming the Consideration of the Minutes of the Committee of Correspondence read Yesterday, respecting the Removal of Messrs. Russell and Floyer from Bengal to Fort Saint George; and Recourse being had to the Advices received from Bengal by the Lapwing, it was, after very mature Deliberation, and on the Questions being severally put by the Ballot,

Resolved, That Mr. Claud Russell and Mr. Charles Floyer be removed from Bengal to Fort Saint George, and that they take their Rank in the Stations they would have held in the Company's Service respectively, in case they had remained until this Time without Interruption upon the Fort Saint George Establishment. That Mr. Becher be left out of the Council.

Extract of the Company's General Letter to Bengal, dated the 25th April 1771.

Par. 1. Since closing our Letter of the 10th Instant, we have more fully considered the Conduct of our Governor and Council and Select Committee at Bengal; and we entirely disapprove the Opposition given by our Select Committee to a Measure which was positively ordered by the Court of Directors; and for the speedy Accomplishment whereof the Lapwing Packet was dispatched Express to your Presidency.

2. And as so alarming a Disunion amongst our Servants may be attended with Consequences of a very serious Nature, we cannot omit the present Opportunity of testifying our Displeasure against those Persons who have opposed the Execution of our Orders.

3. It is therefore our Pleasure, and we do hereby direct, that Mr. Becher be dismissed from our Council at Bengal; and that Mr. Claud Russell and Mr. Charles Floyer be immediately removed from our Service in Bengal, and that they do return to Madras with all convenient Dispatch; where they are to take Rank in those Stations which they would now have held in the Company's Service respectively, in case they had remained until this Time without Interruption on the Fort Saint George Establishment.

4. By the foregoing Removal of Mr. Becher from the Council, and of Messrs. Russell and Floyer to their respective Stations upon the Fort Saint George Establishment, and the Appointment of Mr. Hastings (by our Letter of the 10th Instant) to succeed Mr. Cartier at your Presidency; and having likewise re-admitted Messrs. Rumbold and Dacres into our Service, it becomes necessary to make a new Arrangement of our Council. We therefore direct, that, upon the Receipt hereof, it be composed of the following Gentlemen, notwithstanding our Orders of the 23d March 1770, for limiting the Number of Council to Nine Members, exclusive of the Commander in Chief:

John Cartier, Esquire	—	—	President and Governor.
Warren Hastings, Esquire	—	—	Second, and to succeed to the Government in case of the Death or coming away of Mr. Cartier.
Brigadier General Sir Robert Barker,			Third (or the Commander in Chief for the Time being) but not to rise higher.
Mr. James Alexander	—	—	Fourth.
Thomas Rumbold	—	—	Fifth.
Samuel Middleton	—	—	Sixth.
William Aldersey	—	—	Seventh.
Thomas Kelfall	—	—	Eighth.
John Reed	—	—	Ninth.
Francis Hare	—	—	Tenth.
Joseph Jekyll	—	—	Eleventh.
Philip Milner Dacres	—	—	Twelfth.
Thomas Lane	—	—	Thirteenth.
Richard Barwell	—	—	Fourteenth, and last of Council.

5. And we do hereby further appoint, that our Governor of Bengal, the Commander in Chief for the Time being, and the Three Senior Members of our above-mentioned Council, be a Select Committee, with the like Powers, and under the same Regulations as are established by the 180th Paragraph of our General Letter, dated the 23d March 1770.

10. We are truly sorry, after having entertained the highest Opinion of the Abilities and good Conduct

A P P E N D I X, N° 12.—N° 13. (C)

Conduct of our President, Mr. Cartier, that he should in any Shape incur our Displeasure; but we cannot pass over his late Conduct in joining a Resolution to retard the Execution of our Orders; which if they had been vigorously enforced would, we cannot doubt, have tended much to the Public Welfare, and reflected Honour on every Individual who might have had the Execution of them. We therefore direct that Mr. Cartier do continue in the Government of our Presidency of Fort William till the Departure of the last Ship of the Season for Europe after the Arrival of Mr. Hastings in Bengal; on or before which Time it is our Pleasure that Mr. Cartier do resign that Government to Mr. Hastings.

Copy of a Letter from the Secretary of the East India Company to the President and Council at Fort William in Bengal, of 8th May 1771.

Gentlemen,

The Packets by the Ship Lord Holland having been finally closed previous to the Meeting of the Court of Directors this Day, I am thereupon charged with their Special Commands to acquaint you that they direct, notwithstanding the Orders in the General Letter to you dated the 25th of April last, for President Cartier's Resignation of the Government of Bengal to Mr. Hastings, on the Departure of the last Ship of the Season after the Arrival of the latter there, that it is not their Intentions Mr. Cartier should thereupon be obliged to leave India; and therefore if he chuses to continue some Time longer there to settle his private Affairs, the Court of Directors grant him Permission so to do. I am also to signify their further Orders, that during his Continuance in Bengal, Mr. Cartier is to be treated with the Respect due to that distinguished Station he has held in the Company's Service.

I am,

Gentlemen,

Your most obedient

humble Servant,

P. Michell, Secretary.

East India House,
London, the 8th May 1771.

The Honourable the President and Council
at Fort William in Bengal.

Extract of the Company's General Letter to Bengal, dated the 12th June 1771.

Par. 7. After our Advices dated the 3d May were closed, we directed our Secretary to acquaint you, in a Letter of the 8th, that notwithstanding the Orders in our General Letter of the 25th April last, for President Cartier's Resignation of the Government of Bengal to Mr. Hastings, on the Departure of the last Ship of the Season after Mr. Hastings's Arrival at your Presidency; it was not our Intention Mr. Cartier should thereupon be obliged to leave India; and therefore if he chose to continue some Time longer there to settle his private Affairs, he had our Permission so to do; and during his Continuance in Bengal he was to be treated with the Respect due to the distinguished Station he had held in our Service. This Indulgence we hereby confirm, and expect the same has in all Respects been observed by you.

A P P E N D I X, N° 13.

PAPERS respecting the new modelling the Company's Army in Bengal.

(C)

Extract of the Company's General Letter to Bengal, dated the 23d of March 1770.

Par. 110. IN a Letter from your Select Committee of 21st December 1767, to Brigadier General Smith, you write that, "As the Number of Sepoys attached to each Brigade requires more than One Field Officer to command them, we are of Opinion that another may be added to each Brigade of Sepoys. We have taken the Matter into Consideration; but before we come to a final Resolution we shall be glad to have your Sentiments on this Occasion."—And in Answer thereto, under the 12th January, the General writes, "As to a Second Major of Sepoys, " when

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A P P E N D I X, N^o 13. (C) (L)

" when the Necessity of the Times obliged Lord Clive to promote so many extraordinary Majors as
 " afforded an Appointment of Two to each Brigade of Sepoys, the Second Major was little more
 " than a Cypher:" Yet in direct Opposition to this Opinion you resolve to appoint them; and did
 accordingly appoint Two Lieutenant Colonels, without giving the least Reason for it. And though
 we made a new Regulation of your Military here, which arrived in August 1768, yet this very ex-
 traordinary Letter was sent to General Smith in November following: " Notwithstanding the Court
 " of Directors have been pleased to make an additional Number of Field Officers in Proportion to
 " the Strength of their Regiments, we are of Opinion that the Appointment of a Lieutenant Co-
 " lonel and Major to the Sepoys of each Brigade is as necessary as ever." And in your Letters to
 the Company, not the least Notice is taken of these Appointments. With these Orders before you,
 we are surprized to find how you could presume to act in direct Contradiction to them; and therefore
 highly disapprove of your Conduct in taking upon you to increase our Military Establishment, which
 we will not admit of in future, except upon very urgent Occasions, and then assign Reasons, and
 point out the Necessity of the Measure in the clearest and most satisfactory Manner, for our Confir-
 mation. As the Right of appointing Officers on an increased Establishment can only rest in us, the
 utmost therefore that you should have done was to have represented the Necessity of such Appoint-
 ments, and waited our Orders. But as it would be hard upon the Officers you appointed, who have
 behaved well in our Service, and as you could not be acquainted with our having appointed Field
 Officers here, we have determined to continue them; but on any future Vacancies they are not to be
 filled up, our Intention being that you should revert to the former Establishment of One Major to
 each Brigade: And we hereby declare, that if you shall hereafter presume to alter the Military Estab-
 lishment laid down from the Court of Directors, by the Appointment of any additional and extra-
 ordinary Officers to such Establishment, as has been done in this Instance, it is our fixed Resolution
 to dismiss those Persons from our Service, be they whom they may, who shall take upon themselves
 to concur in such notorious Disobedience of our Orders.

Extract of the Company's General Letter to Bengal, dated the 10th of April 1771:

Par. 109. We have very maturely considered your Proceedings upon the Restoration of Captains
 Goddard and Ahmuty, to the Ranks they held before the Association of the Officers in 1766; and it
 appears to us, not only an improper Measure, but very injurious to those Officers who had a just
 Sense of their Duty, and did not join in the Association; and also to those who were sent from Fort
 Saint George and Bombay, to your Assistance at that critical Time, under the Assurance that they should
 not be superseded. But as it appears contrary to all Military Orders, that an Officer once raised to a
 superior, should serve in an inferior Rank, without a Breach of Honour, and having a favourable
 Opinion of the Merits of Captains Goddard and Ahmuty, we do agree to their continuing in the
 Ranks you placed them on the 16th December 1769; but we direct that they receive the Pay and
 Allowances of Captains only, until the Field Officers serving under your Presidency shall be reduced
 to the Establishment of Six Lieutenant Colonels, and Nine Majors of Infantry and Sepoys, when
 they are to enjoy full Pay and Emoluments, the former as Lieutenant Colonel, and the latter as
 Major; yet we are greatly displeased at the Liberty you took in promoting those Gentlemen when
 your Military Establishment was compleat, from whence the Company has been put to great Ex-
 pence.

(L)

Copy Letter from Brigadier General Stibbert to the Honourable Warren Hastings, Esquire, Governor
 General, &c. Members of the Supreme Council.

Gentlemen,

I now, according to my Promise, contained in my Letter of the 29th, proceed to give my Senti-
 ments respecting the Mode most eligible for replacing the native Troops ordered on Detachment to-
 wards Madras, under the Command of Lieutenant Colonel Pearse.

In regard to the Expedient which has occurred to the Board of augmenting the remaining Batta-
 lions by an equal Number of Levies to be distributed amongst them; I must observe, that their
 present Strength rendering them rather too unwieldy a Body to manœuvre and move together with
 that Celerity and Compactness which is requisite in the Field, any Increase of their Numbers, while
 their present Constitution is adhered to, must necessarily add to this Inconvenience in all Respects, to
 the great Detriment of the Service.

This Mode being allowed to be ineligible, the next Alternative appears to be that of raising new
 Battalions; but as such a Measure would be attended with a very heavy Expence upon the present
 Establishment, and as the Board express their Desire, that the intended Augmentation of Force should
 be rendered as little burthenfome as possible, I beg Leave to offer the following Plan to their Con-
 sideration:

That

A P P E N D I X, N^o 13. (L)

That the present Strength of Twenty-four Battalions of the Establishment be augmented from Eight hundred to One thousand Rank and File, by Levies of Two hundred Privates to each Battalion, or Twenty Men to each Company :

That this Body, forming One Regiment, be divided into Two Battalions of Five Companies each ; a Hundred Rank and File composing a Company :

That this Regiment be commanded by a Captain Commandant and Captain Lieutenant, with Ten Subaltern Officers, One to each Company, as at present :

That One Jamutdar be added to each Company, and the Whole of the Establishment for a Regiment be agreeable to the annexed Scheme.

Permit me now briefly to enumerate the principal Advantages that will arise from the proposed Measure.

In the First Place, it will appear, by the accompanying Comparative View of the present Establishment of a Battalion, and the proposed one for a Regiment, that the Monthly Expence of the latter exceeds the former only Rupees 2,391. 15. 8.

Secondly, That the extraordinary Expence of Twenty-four Regiments, will amount to Rupees 57,407. 8. which compared with the Expence of Six new Battalions, raised and maintained on the present Establishment, proves a Saving of Rupees 30,021 per Menssem, or Rupees 3,60,252 Annually, while the Company will have the same Force on Foot as if the Army was to be augmented by such a Number of Battalions.

Thirdly, Besides this Saving, a Regiment of One thousand Men, divided into Two Battalions, upon the Plan offered, will, I conceive, be considerably better adapted to all the Purposes of Discipline than the present Battalions, as well as infinitely better suited to every Kind of Service whatever.

Fourthly, I am of Opinion, that although the actual Encrease of the Army will be only Four thousand Eight hundred Men, yet the Augmentation of the Number of Battalions on the Establishment may produce us Credit among the Natives for a far more considerable Force.

The Board will observe, that in order to fix the Expence of the Regiments as low as possible, I have allowed no European Adjutants to them, as Subaltern Officers can do that Duty in Tour as formerly ; and I think it will be of an Advantage to the Service, for several Reasons, that they should do so.

After all, I must acknowledge that this Plan is still improvable, and would be much more complete, were a Regiment to be commanded by a Major, and each Battalion by a Captain ; but as this would create an extra Expence to the Company, which might be considered too heavy, I have been deterred from proposing it.

I judge this a proper Occasion for observing to the Board, that I have long been of Opinion, that the native Commandants are a useless Rank, and in some Cases might, through the undue Influence they are generally apt to obtain in their Corps, prove a dangerous Set of Men ; I therefore think it would not be amiss if they are suffered to fall off by making no new Appointments of them ; this would in Time prove no inconsiderable Saving.

I have the Honour to subscribe myself, with the most perfect Respect,

Gentlemen,

Fort William,
the 31st October 1780.

Your most obedient
humble Servant,
(Signed)

G. Stibbert.

A true Copy.
(Signed)

E. Hay,
Act^g Sec^y.

A P P E N D I X, N° 13. (L)

M E M O R A N D U M.

Reduction on the present Establishment.			Encrease of Expence for a Regiment.		
1 European Adjutant	—	62 — —	1 Captain Lieutenant	—	303 — —
10 Pioneers	—	220 — —	2 Serjeants	—	60 — —
1 Hackrie	—	30 — —	10 Jamautdars	—	310 — —
Subsistence for Recruits	—	60 — —	1 Havildar	—	20 — —
			200 Sepoys	—	1,800 — —
			1 Serjeant Major	—	20 — —
			1 Drill Serjeant	—	14 — —
			1 Native Adjutant	—	16 — —
			1 Havildar Major	—	3 10 8
			1 Doctor	—	20 — —
			10 Watermen	—	90 — —
			10 Bildars	—	50 — —
			1 Mate Smith	—	8 8 —
			1 Fire Man	—	7 — —
			1 Chuckler	—	6 4 —
			1 Hand Bheftie	—	10 8 —
			1 Sweeper	—	5 1 —
			Iron and Steel, &c.	—	20 — —
					2,763 — —
		372 — —			372 — —
			Total Encrease — S ^r R ^r		2,391 15 8

Monthly Expence of Six Battalions of Sepoys on the present Establishment	—	87,428 14 —	Monthly Expence of One Regiment on the proposed Establishment	—	16,963 7 4
Monthly additional Expence on forming 24 Regiments on the proposed Establishment	—	57,407 8 —	Monthly Expence of One Battalion on the present Establishment	—	14,571 7 8
Saving, per Month, in raising 4,800 Men, and forming 24 Regiments, instead of Six Battalions, on the present Establishment	—	30,021 6 —	Monthly Encrease of Expence upon One Regiment	—	2,391 15 8

COMPARATIVE

COMPARATIVE VIEW of the Expence of One Battalion of Sepoys on the present Establishment, and a Regiment of Two Battalions on the Establishment proposed by Brigadier General Stibbert.

Battalion on the present Establishment.	Pay and Grat.	Full Batta.	Add. Allow ^{ce} .	Off-Reck ^{ts} .	Total.
1 Captain — — — — —	160 — —	186 — —	— —	— —	346 — —
5 Lieutenants — — — — —	430 — —	620 — —	155 — —	— —	1,205 — —
5 Ensigns — — — — —	311 14 —	465 — —	155 — —	— —	931 14 —
3 Serjeants — — — — —	48 — —	30 — —	— —	12 — —	90 — —
20 Drums and Fifes — — — —	220 — —	200 — —	— —	60 — —	480 — —
Total to Europeans — — — —	1,169 14 —	1,501 — —	310 — —	72 — —	3,052 14 —
Natives.					
11 Subadars (One of whom is Commandant)	594 — —	330 — —	— —	66 — —	990 — —
10 Jemadars — — — — —	135 — —	150 — —	— —	25 — —	310 — —
51 Havildars (One of whom is Havildar Major)	476 — —	510 — —	— —	34 — —	1,020 — —
50 Naiks — — — — —	366 10 8	500 — —	— —	33 5 4	900 — —
4 Trumpeters — — — — —	22 10 8	12 — —	— —	1 5 4	36 — —
900 Sepoys — — — — —	3,966 10 8	2,100 — —	— —	233 5 4	6,300 — —
Total to Natives — — — — —	5,560 15 8	3,602 — —	— —	392 — —	9,556 — —
Staff to a Battalion.					
1 European Adjutant — — — —	62 — —	— —	— —	— —	62 — —
1 Serjeant Major — — — — —	20 — —	— —	— —	— —	20 — —
1 Drill Serjeant — — — — —	14 — —	— —	— —	— —	14 — —
1 Quarter Master Serjeant — —	14 — —	— —	— —	— —	14 — —
1 Native Commandant — — — —	60 — —	— —	— —	— —	60 — —
1 D ^o Adjutant — — — — —	16 — —	— —	— —	— —	16 — —
1 Havildar Major — — — — —	3 10 8	— —	— —	— —	3 10 8
10 Sircars — — — — —	100 — —	100 — —	— —	— —	200 — —
3 Doctors — — — — —	30 — —	30 — —	— —	— —	60 — —
10 Watermen — — — — —	56 10 8	30 — —	— —	3 5 4	90 — —
10 Pioneers — — — — —	100 — —	100 — —	— —	20 — —	220 — —
Total to Staff — — — — —	476 5 4	260 — —	— —	23 5 4	759 10 8
Lafcars.					
1 Tindal — — — — —	7 8 —	4 — —	— —	— 8 —	12 — —
2 Coffoos — — — — —	11 — —	6 — —	— —	1 — —	18 — —
20 Lafcars — — — — —	95 — —	40 — —	— —	5 — —	140 — —
Total to Lafcars — — — — —	113 8 —	50 — —	— —	6 8 —	170 — —
Artificers and Coolies.					
2 Carpenters — — — — —	10 — —	4 — —	— —	— —	14 — —
1 Fireman — — — — —	5 — —	2 — —	— —	— —	7 — —
2 Hammermen — — — — —	6 — —	4 — —	— —	— —	10 — —
1 Mistry Armourer — — — — —	7 — —	3 — —	— —	— —	10 — —
4 Armourers — — — — —	20 — —	8 — —	— —	— —	28 — —
2 Sailmakers — — — — —	10 — —	4 — —	— —	— —	14 — —
1 Chuckler — — — — —	4 4 —	2 — —	— —	— —	6 4 —
7 Bhefties (with Allowance for Bays, &c.)	52 8 —	21 — —	— —	— —	73 8 —
3 Sweepers (D ^o for Brooms, &c.) —	9 3 —	6 — —	— —	— —	15 3 —
5 Hackries — — — — —	150 — —	— —	— —	— —	150 — —
10 Dowlies and 50 Bearers — — —	300 — —	— —	— —	— —	300 — —
Total to Artificers — — — — —	573 15 —	54 — —	— —	— —	627 15 —
Contingencies.					
Iron, Steel, Charcoal, and Buzar Medicines	120 — —	— —	— —	— —	120 — —
Canvas, Twine, Line, &c. — — —	60 — —	— —	— —	— —	60 — —
Writer and Stationary — — — —	60 — —	— —	— —	— —	60 — —
Subsistence to Recruits before joining	60 — —	— —	— —	— —	60 — —
For Hirkarras, when on Command, having no superior Officer	105 — —	— —	— —	— —	105 — —
Total of Contingencies — — — —	405 — —	— —	— —	— —	405 — —
Total Amount of a complete Battalion — — S ^r R ^r	14,571 7 8				

Regiment on the proposed Establishment.	Pay and Gratuity.	Full Batta.	Add. All ^{ce} .	Off-Reck ^{ts} .	Total.
1 Captain — — — — —	160 — —	186 — —	— —	— —	346 — —
1 Captain Lieutenant, on Lieutenant's Pay and Allowance, and Captain's Batta — —	86 — —	186 — —	31 — —	— —	303 — —
5 Lieutenants — — — — —	430 — —	620 — —	155 — —	— —	1,205 — —
5 Ensigns — — — — —	311 14 —	465 — —	155 — —	— —	931 14 —
5 Serjeants — — — — —	80 — —	50 — —	— —	20 — —	150 — —
20 Drums and Fifes — — — — —	220 — —	200 — —	— —	60 — —	480 — —
Total to Europeans — — — — —	1,287 14 —	1,707 — —	341 — —	80 — —	3,415 14 —
Natives.					
11 Subadars (One of whom is Commandant)	594 — —	330 — —	— —	66 — —	990 — —
20 Jemadars — — — — —	270 — —	300 — —	— —	50 — —	620 — —
52 Havildars (Two of whom are Havildar Majors)	485 6 —	520 — —	— —	34 10 —	1,040 — —
50 Naicks — — — — —	366 10 8	500 — —	— —	33 5 4	900 — —
4 Trumpeters — — — — —	22 10 8	12 — —	— —	1 5 4	36 — —
900 Sepoys — — — — —	5,100 — —	2,700 — —	— —	300 — —	8,100 — —
Total to Natives — — — — —	6,838 15 4	4,362 — —	— —	485 4 8	11,686 — —
Staff to a Regiment.					
2 Serjeant Majors — — — — —	40 — —	— —	— —	— —	40 — —
2 Drill Serjeants — — — — —	28 — —	— —	— —	— —	28 — —
1 Quarter Master Serjeant — — —	14 — —	— —	— —	— —	14 — —
1 Native Commandant — — — — —	60 — —	— —	— —	— —	60 — —
2 D ^o Adjutants — — — — —	32 — —	— —	— —	— —	32 — —
2 Havildars, Majors — — — — —	7 5 4	— —	— —	— —	7 5 4
10 Sircars — — — — —	100 — —	100 — —	— —	— —	200 — —
4 Doctors — — — — —	40 — —	— —	— —	— —	80 — —
20 Watermen — — — — —	113 — —	60 — —	— —	6 10 8	180 — —
10 Bildars, or Tavildars (native Pioneers)	30 — —	20 — —	— —	— —	50 — —
Total to Staff — — — — —	464 10 8	220 — —	— —	6 10 8	691 5 4
Lafcars.					
1 Tindal — — — — —	7 8 —	4 — —	— —	— 8 —	12 — —
2 Caffots — — — — —	11 — —	6 — —	— —	1 — —	18 — —
20 Lafcars — — — — —	95 — —	40 — —	— —	5 — —	140 — —
Total to Lafcars — — — — —	113 8 —	50 — —	— —	6 8 —	170 — —
Artificers and Coolies.					
1 Mystry — — — — —	7 — —	3 — —	— —	— —	10 — —
1 Mate — — — — —	7 — —	1 8 —	— —	— —	8 8 —
4 Armourers — — — — —	20 — —	8 — —	— —	— —	28 — —
2 Firemen — — — — —	10 — —	4 — —	— —	— —	14 — —
2 Hammermen — — — — —	6 — —	4 — —	— —	— —	10 — —
2 Carpenters — — — — —	10 — —	4 — —	— —	— —	14 — —
2 Sail Makers — — — — —	10 — —	4 — —	— —	— —	14 — —
2 Chucklers — — — — —	8 8 —	4 — —	— —	— —	12 8 —
8 Stand Bhefties — — — — —	60 — —	24 — —	— —	— —	84 — —
4 Sweepers — — — — —	12 4 —	8 — —	— —	— —	12 4 —
4 Hackries — — — — —	120 — —	— —	— —	— —	120 — —
10 Doolies, and 50 Bearers — — —	300 — —	— —	— —	— —	300 — —
Total Artificers — — — — —	570 12 —	64 8 —	— —	— —	635 4 —
Contingencies.					
Iron, Steel, &c. — — — — —	— —	— —	— —	— —	140 — —
Canvas, Twine, &c. — — — — —	— —	— —	— —	— —	60 — —
Writer and Stationary — — — —	— —	— —	— —	— —	60 — —
For Hirkarras, when on Command, having no superior Officer — — — — —	— —	— —	— —	— —	105 — —
Total of Contingencies — — — —	— —	— —	— —	— —	365 — —
Total Amount of One Regiment, or Two Battalions — — S ^r R ^r	16,963 7 4				

(M)

To the Honourable Warren Hastings, Esquire, Governor General, &c. Members of the Supreme Council.

Gentlemen,

In consequence of your Commands to me, under Date the 14th Instant, I do myself the Honour of laying before you, Propositions for doubling up the Battalions of the European Regiments, and forming these Corps upon an Establishment the best suited to their present Strength, as well as calculated to the retrenching the Expence of them.

I also submit to you, a Scheme for augmenting the Sepoy Battalions (instead of raising new ones) and forming them into Regiments, upon a Plan more perfect, and with more extensive Views, than my Proposition of the 31st October comprehended.

With these Propositions you will receive.

N^o 1. A Comparative Statement of the Expence of a Regiment of European Infantry, on the present Establishment, and of one on the Establishment recommended by me.

N^o 2. A Comparative View of the Expence of a Battalion of Sepoys on the present Establishment, and of a Regiment of Two Battalions on the proposed one.

N^o 3. A Memorandum, exhibiting the Saving that will accrue upon the Whole of the new Arrangements offered to your Consideration.

You will observe, Gentlemen, that I have included in my Plan those Battalions which compose Lieutenant Colonel Pearse's Detachment. Besides being prompted to recommend that these Corps may be put on the same Footing with the rest, by all the Reasons which evince the Necessity of thoroughly reforming and new modelling the native Infantry of our Army, I am further induced to wish the proposed Regulations to extend to them, on Account of the Officers who must necessarily be included in the Promotion that it will be requisite to make, in order to the carrying my Plan into Effect; and who otherwise must be removed, to the great Obstruction and Detriment to the Public Service. The Number of Men that will be wanted to complete this Detachment to the new Establishment, after reducing the 20th Battalion, and incorporating the Sepoys of it into the Five others, will only be Three hundred; which may be immediately drafted (as I have proposed) from the Battalions of the 1st Brigade at Barrickpore.

I have been led to recommend the Reduction of the 20th Battalion of Sepoys, on Account of the late refractory Conduct of the Corps; and the great Desertions from Captain Browne's Battalion of Light Infantry, has influenced me to propose the breaking of this Corps also, in my general Arrangements. These Motives, I flatter myself, will have their due Weight with the Board.

By augmenting the Sepoy Brigade Battalions now on the Establishment, which (exclusive of those on Service with General Goddard in the West of India) are Thirty-six in Number; and regimenting them upon the Plan I have proposed, the actual Encrease of these Corps will be 7,200 Rank and File, which is equal to the present Strength of Nine Battalions. The annexed Memorandum (N^o 3.) will satisfy you, Gentlemen, that the Difference of Expence between raising this Number of new Battalions, and making up an equal Strength, according to the liberal and advantageous Mode I have recommended, will be only against my Plan 8,481 Sonat Rupees per Menssem. But I have to oppose to this Loss incurred by my Sepoy Arrangements, a monthly Saving of 37,186 S^t Rupees, which will arise from the proposed Reduction of the Battalions of the European Regiments.

As I have already, Gentlemen, fully set forth, in my Letter to you of the 31st of October, the Advantages of the Sepoy Arrangements, which I now lay before you, as far as respects the Purposes of manœuvring and disciplining the native Corps, as well as the probable Effects which may be produced on the Minds of the Country Powers, by such an apparent Encrease of the Number of Battalions on our Establishment, I will take the Liberty to refer you to that Address for my Reasoning on these Heads, as well as for the Arguments I advanced for abolishing the Office of native Commandant, and proposing that the native Adjutants should be made from Jamaudars instead of Subadars.

I come now to speak of the advanced Rank and Allowances which I have proposed to be granted to the Officers commanding Regiments; which, however great an Innovation it may be, I hope I shall be able to make appear to be both proper and unavoidable.

At the same Time that, in order to the rooting out the Abuses which had, from a long Course of Practice, insinuated themselves throughout the Army, and which are of a Nature tending immediately to the Ruin of the Corps composing our native Infantry, and consequently to the endangering the British Interests in this Country; it is become indispensably necessary to fix such Checks, and to establish such severe Rules with respect to the Mustering and Paying of the Sepoys, as shall put it entirely out of the Power of their Commanding Officers to derive any Emolument from Deficiencies in their Corps, or from any other improper Sources, and hereby engage their Attention wholly to the disciplining of them. It is likewise requisite (to this beneficial and desirable End) to annex such Rank and Allowances to the Command of these Officers, as suits its Importance and the Length of their Services: For totally to debar them from all Perquisites and Emoluments whatsoever, without advancing their Rank and Salary, would (supposing it possible to introduce such a Regulation into

A P P E N D I X, N^o 13. (M)

our Army) produce no other Consequence than that of rendering them to a Man disaffected to the Service. I need not add, that this is a Disposition which would certainly give Birth to an universal Relaxation of Discipline; an Evil to which, under such Circumstances, no Remedy, however violent, could be effectually applied: This Danger, however, will be avoided by granting the Superior Officers the advanced Rank and Allowances proposed by me, which, no Doubt, will ere long reconcile them to the Reform; which, by disengaging them from the Pursuit of other Objects, will lead them to exert themselves more than ever, in training and disciplining the Corps committed to their Charge.

There remains, Gentlemen, little more for me to say; those Parts of the annexed Regulations on which I have not remarked, will, I trust, speak for themselves. But I am particularly hopeful, that the Forms I have prescribed for mustering and paying the native Troops, will evince, that my principal View in these Arrangements, has been to strike at the Root of every Abuse that has hitherto operated, either to the Prejudice of good Order and Discipline, or the Rights of the native Soldiery, on whose hearty Attachment to the Service so much depends.

I am aware that, exclusive of Pay, Batta, and Allowances, there may be some other additional Expences incurred by the Arrangements I have the Honour to lay before you, of which I have not taken Notice in my Statements: It is not my Intention to rest their Propriety or Utility on the Proof of their yielding the Saving exhibited in the annexed Memorandum; I shall be satisfied if they do not increase the Disbursements on the Army Account; and, though contrary to Appearance as well as to my Hope, they should add, in a small Degree, to the Military Burthen, yet I am confident, that the beneficial Consequences, which will in due Time result from them, will be considerably more than equivalent to the extraordinary Expence that may be incurred by them.

I have the Honour to be,

Gentlemen,

Fort William,
24th December 1780.

A true Copy.
E. Hay,
Sec^{ry}.

Your most obedient humble Servant,
(Signed) G. Stibbert.

Extract of the General Letter from Bengal, in the Secret Department, to the Court of Directors,
dated the 7th January 1781.

The Provincial Commander in Chief, in the Persuasion that to derive from the native Infantry of our Establishment those capital Advantages which can only result from exact Discipline, tempered with a strict Administration of the Rights of the Soldiery, it was positively necessary thoroughly to reform and new-model the Corps composing this Part of our Military Force, presented to us on the 26th ultimo a Series of Propositions, best calculated, according to his Judgment, for compassing so important and useful an End. These Propositions were accompanied with figured Statements, exhibiting, as nearly as might be, the extraordinary Expence which would be incurred by the new Sepoy Establishments, and the Annual Saving which would accrue from the general Arrangements.

The Letters which we have received from Brigadier General Stibbert on this Subject, and Copies of the Statements and Propositions accompanying them, are sent to you Numbers in this Dispatch. After maturely considering the Principles on which the Plan submitted to us was obviously founded; after measuring the Extent of the Advantages it promised to produce, and after satisfying ourselves that it united Economy and Utility, we delayed not, in the Conviction that the late Military Constitution of our native Infantry was pregnant with Defects which, unless timely corrected, threatened the most serious and alarming Consequences, to pass the Whole of General Stibbert's Propositions into Resolutions of our Council.

We will here delineate, as far as may be necessary, the general Ground-work of this new Superstructure, marking the less obvious Motives of particular Regulations, and distinguishing, in a concise Manner, the Advantages they possess over former Institutions and Arrangements.

The apparent Strength of the Battalions of the European Regiments being at all Times very inconsiderable (rarely exceeding 300 Rank and File) and their positive or effective Strength being frequently below 200 Men, the large Establishment of Officers annexed to these Corps appeared to be productive of an utterly irrequisite Expence, without yielding a single Advantage in a Military Point of View: Influenced by these Reflections, we made it our Request to General Stibbert, to examine the Expediency of doubling up the Battalions of the Regiments: And accordingly we have had the Satisfaction of receiving his Concurrence in a Measure that, while it occasions in our Monthly Expence a Retrenchment of 37,186 Sonaut Rupees, furnishes us with a considerable Number of Officers towards completing our native Infantry on the new Establishment.

Although the Commander in Chief has in the annexed Propositions inserted a Clause, expressing, that when the Strength of the European Regiments shall exceed 762 Rank and File, they shall revert to their former Constitution (because in that Case the Corps would be too unwieldy for the Purpose of manœuvring with Celerity and Exactness) yet we must remark, that it is by no Means probable that we shall be reduced, during the Continuance of the War in Europe, to the Necessity of re-adopting this burthensome System on the Military Principle suggested; and that the Period at which alone such a Necessity is likely to occur, will be the best suited to its favourable and easy Operation.

Having

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Having resolved, in consequence of the approaching Departure of a Division of our Army towards Madras, to augment our Military Force, we issued Orders for the raising of 6 new Battalions; but the Commander in Chief having suggested to us the Expediency of new-modelling the native Infantry, and of applying an immediate and effectual Remedy to the Abuses which had crept into the Corps composing this Part of the Army, to the great Detriment of the Service, we thought proper to recall those Orders, and to signify to him that we were prepared to receive his Sentiments at large upon this important and interesting Subject; when he accordingly presented to us the annexed Propositions, explaining them, as far as was requisite, in our Consultations of the 26th ultimo, at which he was present.

As the Advantages of the new Sepoy Arrangements, as far as relates to the Purposes of manœuvring and disciplining the Corps, as well as to the Effects which may be produced on the Minds of the Country Powers by such an apparent Increase of the Number of Battalions on our Establishment, are fully set forth in General Stibbert's Letter to us of the 31st of October, we beg Leave to refer you to the same for his Arguments on these Heads; which, we are to observe, had their due Weight with us. We must also request of you, to seek in the same Letter the Reasons adduced by him for abolishing the Office of native Commandant to the Sepoy Regiments; in the Propriety of which we entirely acquiesced, as well as in the Expediency of the Regulation directing the native Adjutants to be made from Jamautdars (instead of Subadars) with a View of preventing these Officers from succeeding to the dangerous Influence and Authority of the Commandants.

At the same Time that, in order to the correcting of the Abuses which had crept into the Army, and which were of a Nature tending directly to the Destruction of the Corps composing it, it was become necessary to fix such Checks, and to establish such rigid Rules, with regard to mustering and paying the Sepoys, as should put it totally out of the Power of the Commanding Officers of Regiments to derive any Emoluments from their Corps; and thereby engage their Attention wholly to the disciplining of them; it also became requisite to annex such Rank and Allowances to the Command of these Officers, as suited its Importance and the Length of their Services: For to have entirely excluded them from all Perquisites and Emoluments whatsoever, without advancing their Rank and Salary, would, supposing it possible to have established such a Regulation, have produced no other Consequence than that of rendering them to a Man disaffected to the Service;—an Evil that must have necessarily been followed by an universal Relaxation of Discipline, for which the most violent Remedy would, under such Circumstances, be ineffectual.

This Danger however is avoided, by granting, as we have done, advanced Rank and Allowances to the Officers commanding Regiments of Sepoys; who, no Doubt, will ere long be reconciled to the Reform, and, being disengaged from the Pursuit of other Objects, exert themselves more than ever in training and disciplining the Corps committed to their Charge.

You will be satisfied, on examining the annexed Papers, that notwithstanding the great Increase of Field Officers and Captains consequent of the new Arrangements, there will still be an Annual Saving on the Whole of near Three Lacks and a Half of Sonaut Rupees, after allowing for the actual Increase of Force gained to the Establishment. But as the Commander in Chief is aware that, exclusive of Pay and Batta, there may be some other Expences incurred by his Regulations, of which he has not taken any Notice, he does not rest their Propriety or Utility on the Head of Saving: He will be satisfied if they should not increase the Disbursements on the Army Account; and, though contrary to Appearances as well as to his Hope, they should add in a small Measure to the Military Burthen, he asserts himself confident that the beneficial Consequences which will in due Time result from them, will be abundantly more than adequate to the extraordinary Expence they may occasion.

It is unnecessary for us to offer any Remarks on the other Parts of the annexed Regulations. We conceive that they will speak for themselves; and we are particularly hopeful that the prescribed Forms for mustering and paying the native Troops, will convince you that it was our Design (in these Arrangements) to strike at the Root of every Abuse that could possibly affect either the good Order and Discipline of your Forces, or the Rights of the native Soldiery.

PROPOSITIONS by the Commander in Chief, for reforming and new modelling the Corps of Europeans and native Infantry under this Establishment.

That, in order as well to provide Officers for completing the Establishment of the Sepoy Corps of the Army, on the proposed System, as to reduce the present Expence of the European Infantry, the Three Regiments of Europeans be formed immediately, each into One Battalion, consisting of Ten Companies; viz. One Grenadier, One Light Infantry, and Eight Battalion Companies, to be composed as follows:

One Grenadier Company, to consist of		
1 Captain,		2 Drummers,
3 Lieutenants,		2 Fifes,
5 Serjeants,		and
5 Corporals,		80 Private.
One Light Infantry Company, to be of the same Strength.		
10		One

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One Battalion Company, to consist of

1 Captain,	4 Corporals,
1 Lieutenant,	1 Drummer,
2 Ensigns,	1 Fifer,
4 Serjeants,	70 Private.

Field Officers and Staff to the Regiment :

1 Colonel,	1 Drum Major,	
1 Lieut' Colonel,	1 Fife D°,	} Effective.
1 Major,	1 Q' M' Ser',	
1 Adjutant,	1 Drill D°,	
1 Q' Master,	1 D° Corporal,	} Non-effective.
2 Surgeons,	10 Pay Serjeants,	
4 Assistants,	10 Camp Colourmen, in	
1 Serjeant Major,	the Field only	

That when Recruits shall arrive from Europe, so as to increase the above Establishment, the Regiments shall be again divided into Two Battalions, according to the present Establishment fixed by Sir Eyre Coote.

That the Off-Reckonings of the Three Regiments shall be divided in equal Shares amongst the Captains of those Regiments, excluding Supernumeraries and Staff of that Rank ; and that the Majors of the Regiments shall continue to draw the present Allowance of Five Rupees per Day, in lieu of Off-Reckonings.

That the Establishment of Lascars, Artificers, &c. for One Regiment in the Field, be as follows:

Lascars	—	—	—	2 Serangs	—	} For pitching the Camp Equipage.
			—	4 Tindals	—	
			—	100 Lascars	—	
Blacksmiths,	—	—	—	1 Mistry	—	} For repairing of Arms, &c.
			—	1 Mate	—	
			—	2 Firemen	—	
			—	2 Filemen	—	
			—	2 Hammermen	—	
Armourers, Brafs Smiths, and Sicklegars	—	—	—	1 Mistry	—	} For D°.
			—	1 Mate	—	
			—	2 Armourers	—	
			—	2 Brafs Smiths	—	
			—	2 Sicklegars	—	
Carpenters	—	—	—	1 Mistry	—	} For fundry Works.
			—	1 Mate	—	
			—	4 Carpenters	—	
Sailmakers and Chucklers	—	—	—	1 Mistry	—	} For repairing of Camp Equipage.
			—	1 Mate	—	
			—	6 Sailmakers	—	
			—	4 Chucklers	—	
			—	1 Mistry	—	} For the Comp°, including the Officers.
			—	1 Mate	—	
			—	20 Bullock Bhefties	—	
			—	20 Hand D°	—	
			—	40 Sweepers	—	
Bhefties and Sweepers	—	—	—	1 Bullock Bhefty	—	} For the Colonel.
			—	2 Hand D°	—	
			—	2 Sweepers	—	
			—	2 Bullock Bhefties	—	} For the L' Colonel and Majors.
			—	2 Hand D°	—	
			—	2 Sweepers	—	
			—	4 Hand D°	—	} For the Surgeons and Assistants.
			—	4 Sweepers	—	
			—	7 Bhefties	—	
			—	7 Sweepers	—	} For the Brigade Staff.
			—	2 Mates	—	
Bildars and Coolies	—	—	—	30 Bildars	—	} For levelling and cleaning the Ground of Encampment.
			—	30 Coolies	—	
			—	4 Gurrymen	—	
			—	3 Hackeries	—	For keeping of Time.
			—		—	For carrying spare Arms and Stores.

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That the Brigade Staff be as follows :

1 Brigade Major,	} Effective.		1 Chaplain, —	} Effective,
1 Aid de Camp,			1 Surgeon Major,	
1 Assistant Q ^r M ^r General,			1 Paymaster,	} Effective.
1 Judge Advocate, —			1 Deputy D ^o	
Non-D ^o				

Complement for One Regiment on a Peace Establishment.

Lascars	{	1 Serang,		Blacksmiths	{	1 Mistry,
		2 Tindals,				1 Fireman,
		2 Cossobs,				1 Fileman,
		50 Lascars.				1 Hammerman.
Carpenters	{	1 Mistry,		Brassmen	—	1 Brassman,
		3 Carpenters.		Sicklegars	—	2 Sicklegars.
Armourers	{	1 Mistry,		Chucklers	—	2 Chucklers.
		4 Armourers.				

That the Sepoy Corps of this Establishment be new modelled in the Manner following ; viz:
That the several Battalions of Sepoys now attached to Brigades, be augmented by new Levies to 1000 Men, Rank and File : That they shall be denominated Regiments, and that these Regiments be formed into Two Battalions of equal Strength, consisting each of Five Companies, viz. One Grenadier and Four Battalion Companies ; to be composed as follows :

One Grenadier Company to consist of

1 Lieutenant,		5 Naicks,
1 Subadar,		2 Drums and Fifes,
2 Jamautdars,		1 Trumpeter,
5 Havildars,		90 Sepoys.

One Battalion Company to consist of

1 Lieutenant,		5 Naicks,
1 Subadar,		1 Drummer,
2 Jamautdars,		1 Trumpeter,
5 Havildars,		90 Sepoys.

That this Regiment be commanded by a Major (to be stiled Major Commandant) and each Battalion of it by a Captain.

That the Staff-effective and Non-effective of each Battalion of the Regiment be as follows :

1 Serjeant Major,	} Effective.		1 Havildar Major, Non-effective,	} Effective.
1 Drill Serjeant,			5 Sircars,	
1 Q ^r M ^r D ^o			and	
1 Native Adj ^t to be a Jamadar, Non-effective,			2 Doctors.	

That the Establishment of Lascars, Bildars, Artificers, &c. &c. and Contingencies for each Battalion, and for the Major Commandant, be as follows :

Lascars, Bildars, &c.	{	1 Tindal to the 1st Battalion, and 1 Cossob to the 2d	}	For pitching Tents, &c.
		10 Lascars		For French and the Tents, &c.
		5 Bildars		One to each Company.
		5 Bullock Bhesties		
		5 Hand D ^o		
Artificers.	{	3 Sweepers	}	For the Officers.
		2 Hackeries		For Carriage of Spare Arms, &c.
		5 Doolies and 25 Bearers, when under Orders of March only.		
		1 Mistry Smith		
		1 Fireman		
Lascars, &c.	{	1 Hammerman	}	For repairing Arms, Camp Equipage, &c.
		1 Armourer		
		1 Sicklegur		
		1 Carpenter		
		1 Sailmaker		
Lascars, &c.	{	1 Chuckler	}	For the Major Commandant.
		5 Lascars		
		1 Bullock Bhesty		
		1 Hand, D ^o		
		1 Sweeper		

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To the Captains commanding the Battalions of the Regiment, for Iron, Steel, Char. coal, &c. each	60
To Ditto, for Twine, Line, &c. for repairing Camp Equipage	40
To the Major Commandant, for a Writer, Stationary, and Repairs of his Camp Equipage	80
To the Major Commandant when on Command, having no superior Officer, for Hircar-rah, &c.	150

That a Gratuity of 600 Rupees per Month be given to each Major Commandant of a Regiment, in Consideration of his Length of Service, and in lieu of all Perquisites and Emoluments whatsoever, from which they shall be totally excluded.

That an Allowance of 120 Rupees per Month be given to each Captain commanding a Battalion of a Regiment, as a Compensation for the extraordinary Duty annexed to this Station.

That the Subaltern Officers be invested with the same Command and Authority over their respective Companies as is exercised by the Captains commanding Companies in the European Regiments.

That the Captains commanding Battalions shall exercise the same Authority and Command over their respective Battalions as is annexed to the Station of a Field Officer commanding a Battalion of an European Regiment.

That the Major Commandant shall have the same Authority and Command over his Regiment as is usually exercised by a Field Officer commanding an European Regiment.

That from the 1st of January next the Saving in the Off-Reckonings of the Sepoy Corps shall be divided amongst the Majors of that Corps, who are to discontinue to draw the present Allowance of Five Rupees per Day, which was given in lieu of Off-Reckonings.

That Majors, when on Detachment with their Regiments, shall only draw the Batta of their Rank, excepting in Cases where the Board may see it proper to admit of a further Allowance by an express Order.

That the Gratuity to be given to the Majors commanding Regiments, and Captains commanding Battalions, shall not be drawn by them except when present, and returned as doing Duty with their respective Corps. When absent, the next senior Officers shall be entitled to these Allowances.

That no Major shall be attached to, or returned upon, the Strength of the Sepoys, but those who are actually appointed to the Command of Regiments.

That no Majors, Captains, or Subaltern Officers, appointed to Sepoy Regiments, shall hold any Staff Appointments whatever in the Army.

That Two Lieutenant Colonels be attached to the Sepoy Corps of each Brigade; and that the following Staff be allowed to the Corps;

1 Adjutant,	} Effective.		1 Surgeon,	} Effective.
1 Quarter Master,			and	
1 Quarter Master Serjeant,			6 Assistants,	

That the Establishment of Lascars, Artificers, &c. for the Quarter Master of Sepoys, be as follows:

Lascars,	{ 1 Serang, 2 Tindals, 40 Lascars.	Bildars,	{ 1 Mate, 10 Bildars, 20 Culies.
Carpenters and Blacksmiths,	{ 2 Carpenters, 1 Fireman, 1 Fileman, 1 Hammerman.	Bhesties and Sweepers,	{ 2 Bullock Bhesties, 2 Hand D°, 2 Sweepers, 2 Hand D°, 2 Sweepers, 4 Hand D°, 4 Sweepers,
Sailmaker and Chucklers.	{ 1 Sailmaker, 1 Chuckler,		

Allowance to the Quarter Master for keeping the Tents of the Lieutenant Colonels and Staff in Repair, and for Banderells, 60 Rupees per Month.

That the native Commandants and Adjutants now in the Service, be continued in their respective Offices; that the former be returned as a Supernumerary, and the latter as pasted to a Company.

That the several Regiments shall be numbered agreeable to the present Seniority of the Battalions from which they are to be formed (that is to say) that the eldest of those Battalions is to be the 1st Regiment, the next eldest the Second, and so on in the same Order.

That the following Regulations be observed in the Receipt and Issue of Pay to the Regiments of Sepoys.

That the Regulations already established relative to the Muster and Review Rolls of the Army, shall remain in Force, with this Difference only, that the Officers commanding Companies of Sepoys shall sign the Muster Rolls of their respective Companies upon Honour, in the following Form.

I do

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I do hereby solemnly declare upon my Honour, that the above is a true and faithful Muster Roll of the Company which I command.

(Signed)

A. B. Lieutenant commanding the
of the Battalion of the
Regiment of Sepoys.

That these Muster Rolls be countersigned by the Captains commanding Battalions, and the Major Commandant of the Regiment.

That the Pay of the several Companies shall be drawn by the Officers commanding them in a figured Abstract, corresponding to the Review Rolls which shall be tacked to the same; and on this joint Voucher, Pay shall be issued by the Paymaster to the several Officers commanding Companies.

That the Captains commanding Battalions shall sign the Muster Rolls, and draw the Pay of the vacant Companies, when there shall be any, and for those of absent Subalterns in their respective Battalions in the Manner above prescribed, subscribing themselves, in Addition to the above Subscription, as follows:

Signed A. B. Captain commanding the Battalion of the
Regiment, and in immediate Charge of the Company
of the said Battalion.

That the Pay of the Staff, Serjeants, Lascars, Artificers, Bildars, Bearers, &c. attached to each Battalion, shall be drawn and issued by the Captains, together with the contingent Allowances of their respective Battalions.

That when there is no Paymaster or Deputy present, the Major Commandant of the Regiment shall receive the Muster Rolls and Abstracts of the several Companies, transmit them to the Paymaster of the Brigade, and receive from him the Amount of the Whole, and afterwards distribute it immediately to the Officers commanding Companies, and to the Captains of the Battalions for the vacant Companies (if there shall be any) to be paid by them to their Men.

That the Pay shall be issued to the Men immediately after it is received, in the Presence of the Officers commanding Companies, or the Captains to the vacant Companies; for the exact Performance whereof they are to be held responsible.

That the Officers commanding Companies shall, after issuing the Pay of their respective Companies, make a written Report thereof, addressed to the Captains of their Battalions, in these Words:

Sir,

I do hereby declare upon my Honour, that the Company of Sepoys commanded by me
have been paid their full and just Demands, up to the of last according to the Muster Roll
for that Month.

(Signed)

A. B. Lieut. commanding the Comp^y of the Battⁿ
of the Regiment.

Cantonment at 1780.

That the Captains shall lay these Reports before the Major Commandant, who shall carefully preserve them, and duly inform the commanding Officer of his Brigade, or of the Detachment with which he is serving, of his having received the prescribed Reports of the regular Payment of his Regiment; and the commanding Officers of Brigades and Detachments, on receiving these Reports, shall give due Notice thereof to the Commander in Chief.

That the Muster Rolls and Pay Abstracts shall be sent in to the Paymasters on the First of every Month, immediately after the monthly Muster; who are directed to issue the several Amounts, when they have Money in their Hands, without Delay.

That if it shall happen at any Time that the Men are not regularly paid, either from the Paymaster not being in Cash, or from any other Cause, the Majors Commandants of Regiments shall report it in Writing to the Commanding Officer of the Brigade, or other Officer under whom they are serving; who is to communicate the same to the Commander in Chief. The Majors Commandants are at the same Time to specify what is due to their Men.

That the following be the Establishment of Camp Equipage for a Regiment of Sepoys:

1 Field Officer's Marqué	} For the Major		10 Round Subalterns	} For Ten Lieutenants.
1 Private Tent —			2 Necessary D°	
1 Necessary D° —	} One to each Captain.		6 Private D°, and	} Three to each Battalion for Guards, &c.
2 Oblong Marqués			14 Bell Tents	
2 Necessary D°				

That the Commander in Chief be desired to carry these Resolutions forthwith into Execution.

That towards completing the Battalion to be formed into Regiments at the Presidency, the Commander in Chief be requested to direct such Drafts to be made, as he may judge proper, from the Boglepore

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Boglepore and Buxar Militia Corps; which are afterwards to be replaced with Recruits by the Commanding Officers.

That to form the Corps composing Lieutenant Colonel Pearse's Detachment agreeable to the new Establishment, the 20th Battalion be reduced, the Private Sepoys incorporated into the other Battalions of that Detachment, and a Draft of 300 Men be made from the Battalions of the 1st Brigade at Barrickpore.

That the Warrant and Non-warrant Officers of the 20th Battalion be sent to Berhampore, to be pasted to a Regiment to be raised in the Place of this Battalion at that Station.

That to assist in completing the Battalions at Cawnpore to the Strength of the Regiments, his Excellency the Vizier be requested to permit a Draft of 400 Men, Volunteers, to be made from his Body Guard at Lucknow.

That to help in completing the Battalions under the Command of Major Camac, the Corps of the Light Infantry, commanded by Captain James Brown, be reduced and incorporated into the Regiments to be formed from those Battalions. The Warrant and Non-warrant Officers of this Corps to be borne on the Strength of these and the other Regiments in the Field (till Vacancies fall) as Supernumeraries.

A true Copy,

E. Hay,
Adj^t Secy.

COMPARATIVE

COMPARATIVE STATEMENT of the Expenses of the
Company of Two Bachelors, on the 1st of July

Regiment on the 1st of July		Regiment on the 1st of July		Regiment on the 1st of July	
Rank	Pay	Rank	Pay	Rank	Pay
Colonel	3.00	Colonel	3.00	Colonel	3.00
Lieutenant Colonel	2.50	Lieutenant Colonel	2.50	Lieutenant Colonel	2.50
Major	2.00	Major	2.00	Major	2.00
Captain	1.50	Captain	1.50	Captain	1.50
Lieutenant	1.00	Lieutenant	1.00	Lieutenant	1.00
Ensign	.75	Ensign	.75	Ensign	.75
Surgeon	.50	Surgeon	.50	Surgeon	.50
Corporal	.40	Corporal	.40	Corporal	.40
Drummer	.30	Drummer	.30	Drummer	.30
Private	.20	Private	.20	Private	.20
Total Commissioned Officers, &c.		Total Commissioned Officers, &c.		Total Commissioned Officers, &c.	
11.00		11.00		11.00	
Staff to the Regiment		Staff to the Regiment		Staff to the Regiment	
Adjutant	1.00	Adjutant	1.00	Adjutant	1.00
Quartermaster	.75	Quartermaster	.75	Quartermaster	.75
Sergeant Major	.50	Sergeant Major	.50	Sergeant Major	.50
Company Clerk	.25	Company Clerk	.25	Company Clerk	.25
Drum Major	.25	Drum Major	.25	Drum Major	.25
File Major	.25	File Major	.25	File Major	.25
Drill Sergeant	.25	Drill Sergeant	.25	Drill Sergeant	.25
Co. Corporal	.25	Co. Corporal	.25	Co. Corporal	.25
Pay Sergeant	.25	Pay Sergeant	.25	Pay Sergeant	.25
Camp Cook	.25	Camp Cook	.25	Camp Cook	.25
Sergeant	.25	Sergeant	.25	Sergeant	.25
Artillery	.25	Artillery	.25	Artillery	.25
Total Staff		Total Staff		Total Staff	
7.50		7.50		7.50	
Total		Total		Total	
18.50		18.50		18.50	
Artillery		Artillery		Artillery	
Major	1.00	Major	1.00	Major	1.00
Lieut. Col.	.75	Lieut. Col.	.75	Lieut. Col.	.75
Captain	.50	Captain	.50	Captain	.50
Lieutenant	.25	Lieutenant	.25	Lieutenant	.25
Ensign	.25	Ensign	.25	Ensign	.25
Surgeon	.25	Surgeon	.25	Surgeon	.25
Company Clerk	.25	Company Clerk	.25	Company Clerk	.25
Drum Major	.25	Drum Major	.25	Drum Major	.25
File Major	.25	File Major	.25	File Major	.25
Drill Sergeant	.25	Drill Sergeant	.25	Drill Sergeant	.25
Co. Corporal	.25	Co. Corporal	.25	Co. Corporal	.25
Pay Sergeant	.25	Pay Sergeant	.25	Pay Sergeant	.25
Camp Cook	.25	Camp Cook	.25	Camp Cook	.25
Sergeant	.25	Sergeant	.25	Sergeant	.25
Artillery	.25	Artillery	.25	Artillery	.25
Total Artillery		Total Artillery		Total Artillery	
4.50		4.50		4.50	
Total Amount		Total Amount		Total Amount	
23.00		23.00		23.00	

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COMPARATIVE STATEMENT of the Expence of Commissioned and Non-commissioned Officers, Staff, and Artificers, of One Regiment of European Infantry, consisting of Two Battalions, on the present Establishment, and of One Regiment on the Establishment proposed by Brigadier General Stibbert.

Regiment on the present Establishment.				Pay.	Batta.	Off-Reckon-ings.	Allowance per Month.	Total.
1 Colonel	—	—	—	310	775	—	2,100	
2 Lieutenant Colonels	—	—	—	496	1,240	—	390	
2 Majors	—	—	—	372	930	—	310	
18 Captains	—	—	—	2,880	3,348	—	—	
40 Lieutenants	—	—	—	4,680	4,960	—	—	
14 Ensigns	—	—	—	707 4	1,302	—	—	
58 Serjeants	—	—	—	928	580	232	—	
58 Corporals	—	—	—	812	580	174	—	
22 Drummers	—	—	—	242	220	66	—	
22 Fifers	—	—	—	242	220	66	—	
Private	—	—	—	—	—	—	—	
Total Commissioned Officers, &c.				11,669 4	14,155	538	2,800	28,988 4
Staff to the Regiment.								
2 Adjutants	—	Non-effective	—	124	—	—	210	
2 Quarter Masters	—	—	—	124	—	—	420	
2 Serjeant Majors	—	—	—	32	20	8	40	
2 Quarter Master Serjeants	—	Effective	—	32	20	8	28	
2 Drum Majors	—	—	—	22	20	6	10	
2 Fife Majors	—	—	—	22	20	6	10	
2 Drill Serjeants	—	—	—	—	—	—	28	
2 D ^o Corporals	—	—	—	—	—	—	14	
18 Pay Serjeants	—	—	—	—	—	—	126	
18 Camp Colourmen	—	—	—	—	—	—	108	
2 Surgeons	—	—	—	320	372	—	—	
4 Assistants	—	—	—	468	496	—	—	
Total Staff				1,144	948	28	994	3,114
Lascars.								
2 Serangs	—	—	—	22	10	2	—	
4 Tindals	—	—	—	32	16	2	—	
4 Cossobs	—	—	—	22	12	2	—	
100 Lascars	—	—	—	475	200	25	—	
Total Lascars				549	238	31	—	818
Artificers.								
1 Mistry Blacksmith	—	—	—	10	5	—	—	
1 Mate, D ^o	—	—	—	7	3	—	—	
2 Filemen	—	—	—	10	4	—	—	
2 Firemen	—	—	—	10	4	—	—	
2 Hammermen	—	—	—	6	4	—	—	
1 Mistry Carpenter	—	—	—	10	6	—	—	
1 Mate, D ^o	—	—	—	7 8	3	—	—	
6 Carpenters	—	—	—	30	12	—	—	
1 Mistry Armourer	—	—	—	7	3	—	—	
1 Mate D ^o	—	—	—	6	2 8	—	—	
6 Armourers	—	—	—	30	12	—	—	
2 Brassmiths	—	—	—	10	4	—	—	
4 Sucklegurs	—	—	—	22	8	—	—	
1 Mistry Sailmaker	—	—	—	7	3	—	—	
1 Mate D ^o	—	—	—	6	2 8	—	—	
6 Workmen	—	—	—	30	12	—	—	
4 Chucklers	—	—	—	17	8	—	—	
1 Mistry Bheftie	—	—	—	10	4	—	—	
1 Mate D ^o	—	—	—	9 8	3	—	—	
41 Bullock D ^o	—	—	—	389 8	123	—	—	
50 Hand D ^o	—	—	—	375	150	—	—	
68 Sweepers	—	—	—	208 4	136	—	—	
1 Mistry Coolie	—	—	—	5	3	—	—	
1 Mate D ^o	—	—	—	4	2	—	—	
30 Coolies	—	—	—	90	60	—	—	
30 Bildars	—	—	—	90	60	—	—	
2 Gurrymen	—	—	—	8	4	—	—	
Total Artificers				1,414 12	641	—	2,055 12	
Total Amount Sonaut Rupees				34,976				

Regiment on the proposed Establishment.				Pay.	Batta.	Off-Reck ^g .	Allowance per Month.	Total.
1 Colonel	—	—	—	310	775	—	2,100	
1 Lieutenant Colonel	—	—	—	248	620	—	195	
1 Major	—	—	—	186	465	—	155	
10 Captains	—	—	—	1,600	1,860	—	—	
14 Lieutenants	—	—	—	1,638	1,736	—	—	
16 Ensigns	—	—	—	1,494	1,488	—	—	
42 Serjeants	—	—	—	672	420	—	—	
42 Corporals	—	—	—	588	420	—	—	
24 Drums and Fifes	—	—	—	264	240	—	—	
Private	—	—	—	—	—	—	—	
Total Commissioned Officers, &c.				7,000	8,024	366	2,450	17,714
Staff.								
1 Adjutant	—	—	—	62	—	—	105	
2 Surgeons	—	—	—	320	372	—	—	
4 Assistants	—	—	—	468	496	—	—	
1 Quarter Master	—	—	—	62	—	—	370	
1 Serjeant Major	—	—	—	16	10	4	20	
1 Drum D ^o	—	—	—	22	20	6	10	
1 Fife D ^o	—	—	—	16	10	4	14	
1 Quarter Master Serjeant	—	—	—	—	—	—	14	
1 Drill Serjeant	—	—	—	—	—	—	7	
1 D ^o Corporal	—	—	—	—	—	—	7	
10 Pay Serjeants	—	—	—	—	—	—	60	
10 Camp Colourmen	—	—	—	—	—	—	—	
Total Staff				966	908	14	670	2,558
Lascars.								
2 Serangs	—	—	—	22	10	2	—	
4 Tindals	—	—	—	30	16	2	—	
100 Lascars	—	—	—	475	200	25	—	
Total Lascars				527	226	29	—	782
Artificers.								
1 Mistry Blacksmith	—	—	—	10	5	—	—	
1 Mate D ^o	—	—	—	7	3	—	—	
2 Firemen	—	—	—	10	4	—	—	
2 Filemen	—	—	—	10	4	—	—	
2 Hammermen	—	—	—	6	4	—	—	
1 Mistry Armourer	—	—	—	7	3	—	—	
1 Mate D ^o	—	—	—	6	2 8	—	—	
2 Armourers	—	—	—	10	4	—	—	
2 Brassmiths	—	—	—	10	4	—	—	
2 Sucklegurs	—	—	—	11	4	—	—	
1 Mistry Carpenter	—	—	—	10	6	—	—	
1 Mate D ^o	—	—	—	7 8	3	—	—	
4 Carpenters	—	—	—	20	8	—	—	
1 Mistry Sailmaker	—	—	—	7	3	—	—	
1 Mate D ^o	—	—	—	6	2 8	—	—	
6 Workmen	—	—	—	30	12	—	—	
4 Chucklers	—	—	—	17	8	—	—	
1 Mistry Bheftie	—	—	—	7	3	—	—	
1 Mate D ^o	—	—	—	6 8	2 8	—	—	
23 Bullocks D ^o (including Bags)	—	—	—	177 8	46	—	—	
25 Hand D ^o	—	—	—	245	70	—	—	
55 Sweepers	—	—	—	168 7	110	—	—	
1 Mate Bildar	—	—	—	4	2	—	—	
30 — D ^o	—	—	—	90	60	—	—	
1 Mate Coolie	—	—	—	4	2	—	—	
30 — D ^o	—	—	—	90	60	—	—	
4 Gurrymen	—	—	—	16	8	—	—	
3 Hackeries	—	—	—	90	—	—	—	
Total Artificers				1,082 15	443 8	—	1,526 7	
Total Amount Sonaut Rupees				22,580 7				

A P P E N D I X, N° 13. (M)

A B S T R A C T.

SER. COM. REP. V.

3 Q

COMPARATIVE

Regiment on the present Establishment.				Regiment on the proposed Establishment.			
Pay, Batta, and Allowances to Commissioned Officers	—	—	28,998 4	Pay, Batta, and Allowances to Commissioned Officers	—	—	17,714 —
Pay and Allowances to Staff	—	—	3,114 —	Pay and Allowances to Staff	—	—	2,558 —
Pay and Batta to Lascars	—	—	818 —	Pay and Batta to Lascars	—	—	782 —
D° to Artificers, &c.	—	—	2,055 —	D° Artificers, &c.	—	—	1,526 7
Total of One Regt	—	S' Rupees	34,976 —	Total Amount of One Regt	—	S' Rupees	22,580 7
Two more Regiments	—	—	69,952 —	Two more Regiments	—	—	45,160 14
				Total Pay, Batta, &c. for Three Regiments	—		67,741 5
				Monthly Saving on the Three Regiments, by doubling up the Battalions	—		37,186 11
						Sonat Rupees	1,04,928 —

N. B. Annual Saving upon the Three Regiments, Sonat Rupees 4,46,240. 4.

Memorandum. Three of the Six Lieutenant Colonels, who are now upon the present Establishment of the Regiments, are, in the proposed Arrangements, transferred to the Sepoy Corps.

Fort William,
23d December 1780.

A P P E N D I X, N° 13. (M)

COMPARATIVE STATEMENT of the Expence of One Battalion of Sepoys on the present Establishment, and a Regiment of Two Battalions on the proposed Establishment by Brigadier General Stibbert.

Battalions on the present Establishment.	Pay and Gratuity.	Full Batta.	Additional Allowance.	Off-reckonings.	Total.	Regiment on the proposed Establishment.	Pay and Gratuity.	Full Batta.	Additional Allowance.	Off-reckonings.	Total.
1 Captain — — —	160 — —	186 — —	— — —	— — —	346 — —	1 Major — — —	186 — —	465 — —	600 — —	— — —	1,251 — —
5 Lieutenants — — —	430 — —	620 — —	155 — —	— — —	1,205 — —	2 Captains — — —	320 — —	372 — —	240 — —	— — —	932 — —
5 Ensigns — — —	311 14 —	465 — —	155 — —	— — —	931 14 —	10 Lieutenants — — —	860 — —	1,240 — —	310 — —	— — —	2,410 — —
3 Serjeants — — —	48 — —	30 — —	— — —	12 — —	90 — —	12 Drums and Fifes — — —	132 — —	120 — —	— — —	36 — —	288 — —
20 Drums and Fifes — — —	220 — —	200 — —	— — —	60 — —	480 — —	10 Subadars — — —	540 — —	300 — —	— — —	60 — —	900 — —
11 Subadars, 1 of whom is Commandant — — —	594 — —	330 — —	— — —	66 — —	990 — —	20 Jemautdars — — —	270 — —	300 — —	— — —	50 — —	620 — —
10 Jemautdars — — —	135 — —	150 — —	— — —	25 — —	310 — —	50 Havildars — — —	466 6 —	500 — —	— — —	33 10 —	1,000 — —
51 Havildars, 1 of whom is Havildar Major — — —	476 — —	510 — —	— — —	34 — —	1,020 — —	50 Naicks — — —	366 10 8	500 — —	— — —	33 5 4	900 — —
50 Naicks — — —	366 10 8	500 — —	— — —	33 5 4	900 — —	10 Trumpeters — — —	56 10 8	30 — —	— — —	3 5 4	90 — —
4 Trumpeters — — —	22 10 8	12 — —	— — —	1 5 4	36 — —	900 Sepoys — — —	5,100 — —	2,700 — —	— — —	300 — —	8,100 — —
700 Sepoys — — —	3,966 10 8	2,100 — —	— — —	233 5 4	6,300 — —						
Total to Europeans, &c. — — —	6,730 14 —	5,103 — —	310 — —	465 — —	12,608 14 —	Total to Europeans, &c. — — —	8,297 14 4	6,527 — —	1,150 — —	516 4 8	16,491 — —
Staff to a Battalion.						Staff, &c.					
1 European Adjutant — — —	62 — —	— — —	— — —	— — —	62 — —	2 Serjeant Majors — — —	32 — —	20 — —	40 — —	8 — —	100 — —
1 Serjeant Major — — —	20 — —	— — —	— — —	— — —	20 — —	2 Drill Serjeants } effective — — —	32 — —	20 — —	28 — —	8 — —	88 — —
1 Drill Serjeant — — —	14 — —	— — —	— — —	— — —	14 — —	2 Quarter Master D° — — —	32 — —	20 — —	28 — —	8 — —	88 — —
1 Quarter Master D° — — —	14 — —	— — —	— — —	— — —	14 — —	2 Native Adjutants } Non-D° — — —	— — —	— — —	32 — —	— — —	32 — —
1 Native Commandant — — —	60 — —	— — —	— — —	— — —	60 — —	2 Havildars Majors — — —	— — —	— — —	10 — —	— — —	10 — —
1 D° Adjutant — — —	16 — —	— — —	— — —	— — —	16 — —	10 Sircars, or Moonlies } effective — — —	100 — —	100 — —	— — —	— — —	200 — —
1 Havildar Major — — —	3 10 8	— — —	— — —	— — —	3 10 8	4 Native Doctors — — —	40 — —	40 — —	— — —	— — —	80 — —
10 Sircars — — —	100 — —	100 — —	— — —	— — —	200 — —						
3 Doctors — — —	30 — —	30 — —	— — —	— — —	60 — —	Total to Staff — — —	236 — —	200 — —	138 — —	24 — —	598 — —
10 Watermen — — —	56 10 8	30 — —	— — —	3 5 4	90 — —	Lascars, &c.					
10 Pioneers — — —	100 — —	100 — —	— — —	20 — —	220 — —	1 Tindal — — —	7 8 —	4 — —	— — —	8 — —	12 — —
Total to Staff — — —	476 5 4	260 — —	— — —	23 5 4	759 10 8	2 Coffboys — — —	5 8 —	3 — —	— — —	8 — —	9 — —
Lascars, &c.						25 Lascars — — —	118 12 —	50 — —	— — —	6 4 —	175 — —
1 Tindal — — —	7 8 —	4 — —	— — —	8 — —	12 — —	10 Bildars — — —	30 — —	20 — —	— — —	— — —	50 — —
2 Coffboys — — —	11 — —	6 — —	— — —	1 — —	18 — —	10 Bullock Bhefties for the Comp ^d , includ ^d Bags — — —	70 — —	20 — —	— — —	— — —	90 — —
20 Lascars — — —	95 — —	40 — —	— — —	5 — —	140 — —	12 Hand D° for the Officers and Serjeants, D° D° — — —	90 — —	24 — —	— — —	— — —	114 — —
7 Bhefties, with Allowance for Bags — — —	52 8 —	21 — —	— — —	— — —	73 8 —	7 Sweepers — — —	21 7 —	14 — —	— — —	— — —	35 7 —
3 Sweepers, D° for Brooms — — —	9 3 —	6 — —	— — —	— — —	15 3 —	4 Hackries — — —	120 — —	— — —	— — —	— — —	120 — —
5 Hackries — — —	150 — —	— — —	— — —	— — —	150 — —	10 Doolies, and 50 Bearers — — —	300 — —	— — —	— — —	— — —	300 — —
10 Doolies and 50 Bearers — — —	300 — —	— — —	— — —	— — —	300 — —						
Total to Lascars, &c. — — —	625 3 —	77 — —	— — —	6 8 —	708 11 —	Total to Lascars, &c. — — —	763 3 —	135 — —	— — —	7 4 —	905 7 —
Artificers.						Artificers.					
2 Carpenters — — —	10 — —	4 — —	— — —	— — —	14 — —	2 Myfty Smiths — — —	14 — —	6 — —	— — —	— — —	20 — —
1 Fireman — — —	5 — —	2 — —	— — —	— — —	7 — —	2 Firemen — — —	10 — —	4 — —	— — —	— — —	14 — —
2 Hammermen — — —	6 — —	4 — —	— — —	— — —	10 — —	2 Hammermen — — —	6 — —	4 — —	— — —	— — —	10 — —
1 Miftry Armourer — — —	7 — —	3 — —	— — —	— — —	10 — —	2 Armourers — — —	10 — —	4 — —	— — —	— — —	14 — —
4 Armourers — — —	20 — —	8 — —	— — —	— — —	28 — —	2 Sicklegurs — — —	10 — —	4 — —	— — —	— — —	14 — —
2 Sailmakers — — —	10 — —	4 — —	— — —	— — —	14 — —	2 Carpenters — — —	10 — —	4 — —	— — —	— — —	14 — —
1 Chuckler — — —	4 4 —	2 — —	— — —	— — —	6 4 —	2 Sailmakers — — —	10 — —	4 — —	— — —	— — —	14 — —
Total to Artificers — — —	62 4 —	27 — —	— — —	— — —	89 4 —	2 Chucklers — — —	10 — —	4 — —	— — —	— — —	14 — —
Contingencies.						Total to Artificers — — —	80 — —	34 — —	— — —	— — —	114 — —
Iron, Steel, Charcoal, and Buzar Medicines — — —	120 — —	— — —	— — —	— — —	120 — —	Contingencies.					
Canvas, Twine, Line, &c. — — —	60 — —	— — —	— — —	— — —	60 — —	Iron, Steel, Charcoal, Paper, &c. to the Captains — — —	120 — —	— — —	— — —	— — —	120 — —
Writer and Stationary — — —	60 — —	— — —	— — —	— — —	60 — —	Canvas, Twine, Line, &c. — — —	80 — —	— — —	— — —	— — —	80 — —
Subsistence to Recruits before joining — — —	60 — —	— — —	— — —	— — —	60 — —	Writer and Stationary, and Repairs of Camp } — — —	80 — —	— — —	— — —	— — —	80 — —
Total Contingencies — — —	300 — —	— — —	— — —	— — —	300 — —	Equipage, to the Major — — —	— — —	— — —	— — —	— — —	— — —
Total Amount of a complete Battalion — — —	— — —	— — —	— — —	Son ^d Rup ^d — — —	14,471 7 8	Total Contingencies — — —	280 — —	— — —	— — —	— — —	280 — —
						Total Amount of a Regiment on the proposed Establishment — — —	— — —	— — —	— — —	— — —	18,388 7 —

COMPARATIVE STATEMENT of the provisions on the proposed

Batteries on the present establishment		Pay and Gratuity	Full Rate
1 Captain	180	180	180
2 Lieutenants	140	140	140
3 Subalterns	110	110	110
4 Sergeants	80	80	80
5 Bombardiers	70	70	70
6 Drivers and Filers	60	60	60
7 Gunners	50	50	50
8 Ammunition	40	40	40
9 Miscellaneous	30	30	30
10 Havildars	20	20	20
11 Peons	10	10	10
12 Cooks	10	10	10
13 Sepoys	10	10	10
Total		1,000	1,000
Batteries on the proposed establishment			
1 Captain	180	180	180
2 Lieutenants	140	140	140
3 Subalterns	110	110	110
4 Sergeants	80	80	80
5 Bombardiers	70	70	70
6 Drivers and Filers	60	60	60
7 Gunners	50	50	50
8 Ammunition	40	40	40
9 Miscellaneous	30	30	30
10 Havildars	20	20	20
11 Peons	10	10	10
12 Cooks	10	10	10
13 Sepoys	10	10	10
Total		1,000	1,000

A P P E N D I X, N° 13 (M)

651

COMPARATIVE ACCOUNT of the Establishment of Lascars and Artificers, &c. allowed to a Quarter Master for the Sepoy Corps attached to a Brigade on the present Establishment, and the Establishment proposed by Brigadier General Stibbert.

PRESENT ESTABLISHMENT.					Pay.	Off-Reck ^{rs} .	Batta.	Total.	PROPOSED ESTABLISHMENT.					Pay.	Off-Reck ^{rs} .	Batta.	Total.	
1 Serang	—	—	—	—	11	—	5	—	1 Serang	—	—	—	—	11	—	8	—	
2 Tindals	—	—	—	—	15	—	8	—	2 Tindals	—	—	—	—	15	—	5	—	
2 Coffoos	—	—	—	—	11	—	6	—	40 Lascars	—	—	—	—	190	—	80	—	
50 Lascars	—	—	—	—	237	8	100	—						216	—	93	—	
					274	8	119	409						12	—	321	—	
Artificers, &c.									Artificers, &c.									
1 Mate Bildar	—	—	—	—	4	—	2	—	2 Carpenters	—	—	—	—	10	—	4	—	
10 Bildars	—	—	—	—	30	—	20	—	1 Fireman	—	—	—	—	5	—	2	—	
2 Carpenters	—	—	—	—	10	—	4	—	1 Hammerman	—	—	—	—	3	—	2	—	
1 Fireman	—	—	—	—	5	—	2	—	1 Fileman	—	—	—	—	5	—	2	—	
2 Hammermen	—	—	—	—	6	—	4	—	1 Sail Maker	—	—	—	—	5	—	2	—	
1 Fileman	—	—	—	—	5	—	2	—	1 Chuckler	—	—	—	—	4	—	2	—	
1 Chuckler	—	—	—	—	4	4	2	—	1 Mate Bildar	—	—	—	—	4	—	2	—	
2 Sail Makers	—	—	—	—	10	—	4	—	10 Bildars	—	—	—	—	30	—	20	—	
1 Mifty Coolie	—	—	—	—	5	—	3	—	20 Coolies	—	—	—	—	60	—	40	—	
1 Mate D ^o	—	—	—	—	4	—	2	—	2 Bullock Bhefties	—	—	—	—	15	—	4	—	
30 Coolies	—	—	—	—	90	—	60	—	8 Hand D ^o	—	—	—	—	56	—	16	—	
3 Bhefties	—	—	—	—	28	8	9	—	8 Sweepers	—	—	—	—	24	8	16	—	
9 Hand D ^o	—	—	—	—	67	8	27	—						221	12	112	—	
8 Sweepers	—	—	—	—	24	8	60	—									333	12
					293	12	157	450										
Total								859	Allowance for repairing Camp Equipage for 2 L ^t Col ^{ls} and Staff, and Camp Lines, Banderolls, &c.								60	
Allowance for repairing the Tents of 1 Lieut. Col. and 2 Majors, and Camp Lines and Banderolls								70	Amount Establishment proposed								714	
Amount of the present Establishment							Sonat Rupees	929	Difference saved per Month								215	
																	929	

A B S T R A C T.

Battalion on the present Establishment.						Regiment on the proposed Establishment.						
Pay, Batta, &c. to the Officers and Private	—	—	—	—	12,608 14 —	Pay and Batta to the Officers and Private	—	—	—	—	16,491 — —	
Pay and Batta to the Staff, &c.	—	—	—	—	759 10 8	Pay and Batta to the Staff, &c.	—	—	—	—	598 — —	
Pay to the Lascars, &c.	—	—	—	—	708 11 —	Pay to the Lascars, &c.	—	—	—	—	905 — —	
Pay, &c. to Artificers	—	—	—	—	89 4 —	Pay to the Artificers	—	—	—	—	114 — —	
Contingencies	—	—	—	—	300 — —	Contingencies	—	—	—	—	280 — —	
Total Pay, &c. to One Batt ⁿ					Son ^t R ^s	14,466 7 8						
Difference in Expence between a Regiment and a Battalion						3,921 15 4						
					Sonaut Rup ^s	18,388 7 —	Pay, &c. to One Regiment					Son ^t Rupees 18,388 7 —

Mem^m. Three of the Six Lieutenant Colonels, who are now upon the present Establishment of the Regiments, are in the proposed Establishments transferred to the Sepoy Corps, and this Charge accounted for in the Memorandum of the Saving in the general Arrangements.

Fort William, 23d December 1780.

(Signed) Giles Stibbert,

1	Male Barber
10	Minors
2	Carpenters
1	Ironman
2	Handymen
1	Truckman
1	Cook
2	Gas Mechanics
1	Mech. Electrician
1	Motor Driver
10	Coolies
2	Blackies
2	Hand Laborers
1	Sweepers

Correspondence
Pay, &c. to
Pay to the
Pay and
Pay, Hatter, &c.

1. 100, 173

A P P E N D I X, N° 13. (M)

MEMORANDUM. Shewing the Saving on the new Arrangements of the Army, proposed by Brigadier General Stibbert. 36 Regiments of Sepoys on the proposed Establishment of 1000 Men each, Rank and File, are exactly equal to 45 Battalions on the present Establishment of 800 Men each, Rank and File.

36 Regiments, at Rupees 18,388 per Month each, is	—	—	—	6,61,989	12	—
45 Battalions, at Rupees 14,471. 7. 8. per D°, is	—	—	—	6,51,216	9	—
Difference in Expende between 36 Regiments and 45 Battalions, is	—	—	—	10,773	3	—
Saving on Six Majors, included in the Com ^{rs} of the 36 Regiments	—	—	—	4,836	—	—
Saving on the Sepoy Quarter Master Establishment of People	—	—	—	645	—	—
	—	—	—	5,481	—	—
Deduct Expende of 3 Lieutenant Colonels struck off the Establishment of the European Regiments, and added to that of the Sepoys	—	—	—	3,189	—	—
	—	—	—	2,292	—	—
Remains Additional Charge on 36 Regiments	—	—	—	8,481	3	—
Expende of Commissioned, Non-commissioned, Staff, and Artificers of 3 Regiments of Europeans on the present Establishment, is, per Mensm	—	—	—	1,04,928	—	—
Expende of Commissioned, Non-commissioned, and Staff of 3 Regiments on the proposed Establishment, is	—	—	—	67,741	5	—
Saving on the Three Regiments, by doubling up the Battalion, is, per Month	—	—	—	37,186	11	—
Deduct Additional Charge on the Sepoy Corps	—	—	—	8,481	3	—
Total Saving per Mensm by the several Arrangements	—	—	Rupees	28,705	8	—
N. B. Annual Saving on the several Arrangements	—	—	Sonat Rupees	3,44,466	—	—

Fort William, 23d December
1780.

(Signed)

Giles Stibbert.

THESE ARE THE RESULTS OF THE INVESTIGATION CONDUCTED BY THE BUREAU OF THE ARMY, IN CONNECTION WITH THE CASE OF THE LATE MAJOR GENERAL JOHN C. CALDWELL, U. S. ARMY, DECEASED.

1. Name of the deceased	John C. Caldwell
2. Rank	Major General
3. Branch of Service	Infantry
4. Date of Death	October 10, 1898
5. Place of Death	San Juan, P. R.
6. Cause of Death	Wounds received in action
7. Name of the Physician	Dr. J. H. Anderson
8. Name of the Surgeon	Dr. J. H. Anderson
9. Name of the Assistant Surgeon	Dr. J. H. Anderson
10. Name of the Medical Officer	Dr. J. H. Anderson
11. Name of the Medical Officer in Charge	Dr. J. H. Anderson
12. Name of the Medical Officer in Charge of the Hospital	Dr. J. H. Anderson
13. Name of the Medical Officer in Charge of the Dispensary	Dr. J. H. Anderson
14. Name of the Medical Officer in Charge of the Ambulance	Dr. J. H. Anderson
15. Name of the Medical Officer in Charge of the Sanitary Corps	Dr. J. H. Anderson
16. Name of the Medical Officer in Charge of the Veterinary Corps	Dr. J. H. Anderson
17. Name of the Medical Officer in Charge of the Dental Corps	Dr. J. H. Anderson
18. Name of the Medical Officer in Charge of the Medical Department	Dr. J. H. Anderson
19. Name of the Medical Officer in Charge of the Medical Service	Dr. J. H. Anderson
20. Name of the Medical Officer in Charge of the Medical Administration	Dr. J. H. Anderson

APPENDIX